

A
COLLECTION
OF
DECLARATIONS,
TREATIES,

AND OTHER
Principal Passages concerning the DIFFERENCES
BETWIXT

King Charles I.

AND HIS
TWO HOUSES OF PARLIAMENT.

Clearly Manifesting { The Justice of His Cause.
His Sinceritie in Religion.
His Constant Endeavours for Peace.

Bona agere, & mala pati, Regium est.



London, Printed by James Fleisher for R. Royston, Book-seller to His
most Sacred MAJESTY. MDCLXII.

A COLLECTION
OF
DECLARATIONS,
TREATIES,
And other PAPERS contained in this Part.

- I. *His MAJESTIES Declarations concerning His Proceedings in His Four first Parliaments.* p.1.
- II. *Declarations and Papers concerning the Differences betwixt His MAJESTY and His Fifth Parliament.* p.53.
- III. *Declarations and Papers concerning the Treaty of Peace at Oxford.* p.217.
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- V. *Papers and Passages concerning the Treaty of Peace at Uxbridge.* p.413.
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THE PREFACE,
TO THE
NOBILITY and GENTRY
OF
ENGLAND.



Might call this Collection, A Complete *Body of English Politicks*, as comprehending both the *Duty* and the *Interest* of all true *English-men*; and those largely set forth in some of the most excellent Discourses that were ever written in this kind: Which, for their own sakes, might claim some better respect from the present Age, then to be cast aside as out-dated Pamphlets, or, at the best, confusedly scattered like the Leaves of *Sibylla*, without any care of conserving and transmitting them to Posterity.

The sad Experience of so many years hath taught this Nation to their cost, how miserable even the greatest Subjects make themselves, by incroaching upon that *Sovereignty* which alone can protect them from the Injuries and the Scorn of their Inferiors. Here you will discover the *Arts*, the *Means*, and the *Degrees*, by which those Mischiefs were attempted and atchieved; Which whensoever you see repeated, you will know, the Plot is as well against your Privilege, and the Liberty of your Countrey, as the Prerogative of your Prince.

T H E P R E F A C E.

Indeed, If it were as easie to root out the remembrance of the ill Examples, as it is to remit the punishment of the Crimes, by Acts of Grace, and Pardon, and Oblivion; it were perhaps no Imprudence to let those Mischiefs sleep with their Authors, and leave their Memories buried in the Ruines they have made. But since many that are content to take the utmost advantage of a *Pardon*, are yet too good to acknowledge they ever stood in need of any; since most will remember onely *What* hath been done, and few trouble themselves to inquire *How*, or *Why*: it cannot be thought impertinent, together with the *Actions*, to represent also the true *Causes* that have produced such Effects, and the *Circumstances* that attended them; which may remain as Marks to warn Posterity of those Errors which have cost the present Age so dear.

This is here done, not from the private phantasies or observations of any one Person or Party, but from the *Publick* and Authentick Writings of Both, digested in such order, that the Reader may compare what both sides had to say for themselves, and thereby discern, whose Designs and what Counsels tended most to the Peace and Welfare of the Nation: A study most proper for those Ranks of men whom the Favour of Princes hath raised above the Common Multitude, to this one End, that they may assist Them in the administration of Their Government, and in keeping Peace and good order in their Countries.

To have Collected all that passed in these great
Con-

THE PREFACE.

Contests, would have been the Work of many Volumes: But the most material, and most necessary to carry on the Series of Times and Things (which, in a manner; comprehend the Summe, or at least shew the Result of all the rest) are here disposed according to their most natural order of time, under these few heads.

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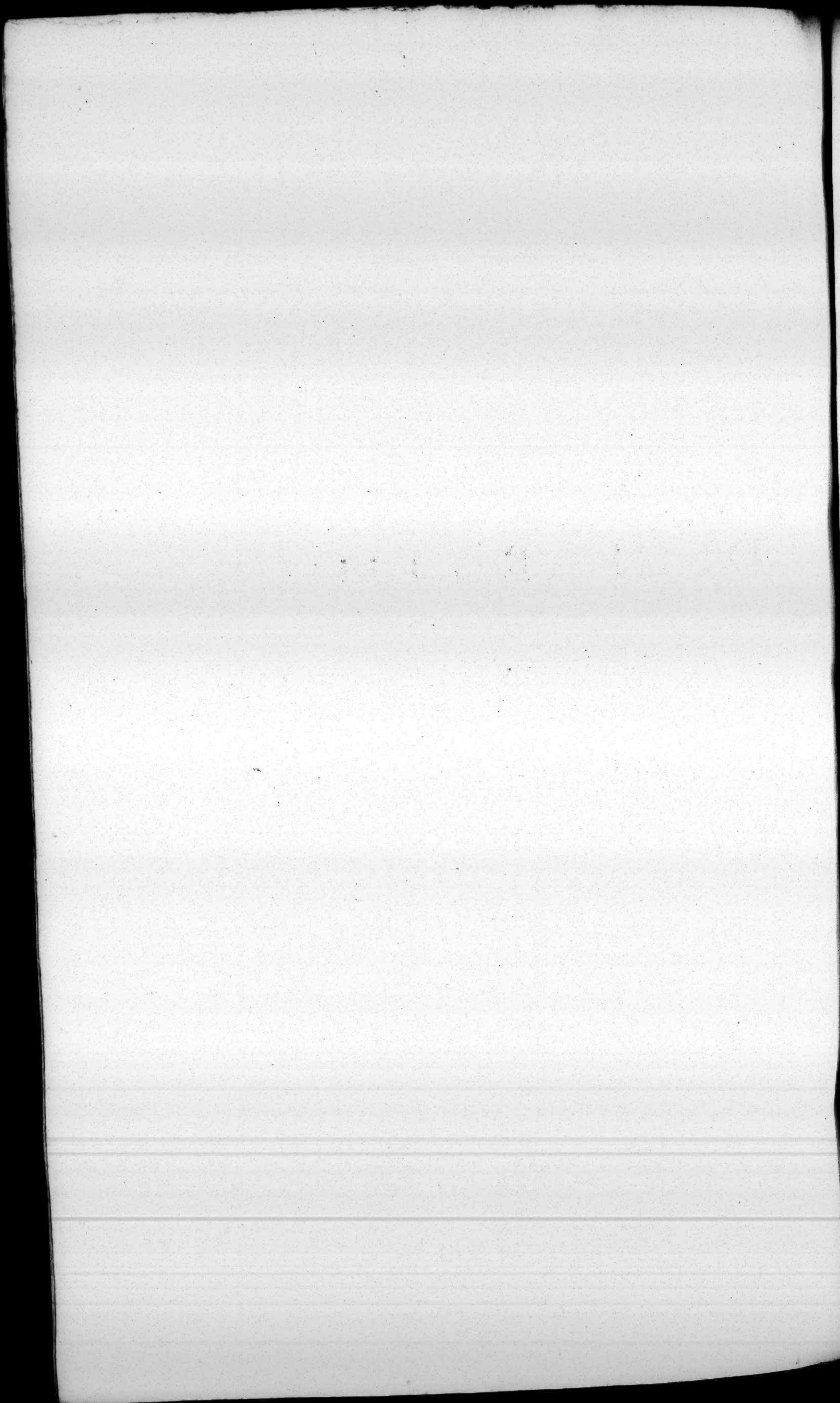
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HIS

HIS
MAJESTIES
DECLARATIONS
CONCERNING
HIS PROCEEDINGS
IN HIS FOUR FIRST
PARLIAMENTS.

(B)



*A Declaration of the true Causes which moved His MAJESTY
to assemble, and after inforced Him to dissolve the First and
Second Meetings in Parliament.*

HE Kings most Excellent Majesty, since His happy
access to the Imperial Crown of this Realme,
having by His Royall Authority summoned and
assembled two several Parliaments, the first where-
of was in *August* last by adjournment held at *Oxford*,
and there dissolved, and the other begun in *February* last, and conti-
nued untill the fifteenth day of this present month of *June*, and
then to the unspeakable grief of Himself and (as He believeth) of
all His good and well-affected Subjects, dissolved also; although
He well knoweth that the calling, adjourning, proroguing and dis-
solving of Parliaments, being His Great Counsel of the Kingdome,
do peculiarly belong unto Himself by an undoubted Prerogative in-
separably united to His Imperial Crown, of which, as of His other
Regall Actions, He is not bound to give an account to any but to
God only, whose immediate Lieutenant and Vicegerent He is in
these His Realms and Dominions, by the Divine Providence com-
mitted to His Charge and Government: yet forasmuch as, by the
assistance of the Almighty, His purpose is so to order Himself and
all His Actions, especially the great and publick Actions of State
concerning the weal of His People, as may justifie themselves not
only to His own Conscience and to His own People, but to the
whole world; His Majestie hath thought it fit and necessary, as the
Affairs now stand both at home and abroad, to make a true, plain
and clear Declaration of the causes which moved His Majestie to
assemble, and after inforced Him to dissolve these Parliaments; that
so the mouth of Malice it self may be stopped, and the doubts and
fears of His own good Subjects at home, and of His Friends and
Allies abroad, may be satisfied, and the deserved blame of so unhappy
accidents may justly light upon the Authors thereof.

When His Majesty, by the death of His dear and Royall Father of
ever-blessed memory, first came to the Crown, He found himself

ingaged in a Warre with a potent Enemy, not undertaken rashly, nor without just and honourable grounds, but inforced, for the necessary defence of Himself and His Dominions, for the support of His Friends and Allies, for the redeeming of the ancient honor of this Nation, for the recovering of the Patrimony of His dear Sister, her Consort and their Children, injuriously and under colour of Treaties and Friendship taken from them, and for the maintenance of the true Religion; and invited thereunto and encouraged therein by the humble advice of both the Houses of Parliament, & by their large promises and protestations to His late Majestie, to give Him full and reall assistance in those Enterprises which were of so great importance to this Realm, and to the general Peace and Safety of all His Friends and Allies. But when His Majestie entred into a view of His Treasure, He found how ill provided He was to proceed effectually with so great an Action, unless He might be assured to receive such Supplies from His loving Subjects as might enable Him to manage the same.

Hereupon His Majestie being willing to tread in the steps of His Royall Progenitors, for the making of good and wholesome Laws for the better government of His people, for the right understanding of their true Grievances, and for the supplie of moneys to be employed for those publick services, He did resolve to summon a Parliament with all convenient speed He might; and finding a former Parliament already called in the life of His Father, He was desirous, for the speedier dispatch of His weighty affairs and gaining of time, to have continued the same without any alteration of the Members thereof, had He not been advised to the contrary by His Judges and Counsell at Law, for that it had been subject to question in Law, which He desired to avoid. But as soon as possibly He could, He summoned a new Parliament, which He did with much confidence and assurance of the love of His People, that those who not long before had with some importunity wone His Father to break off His former Treaties with *Spain*, and to effect it had used the mediation of His now Majestie, being then Prince and a Member of the Parliament, and had promised in Parliament their uttermost assistance for the enabling of His late Majestie to undergoe the Warre which they then foresaw might follow, would assuredly have performed it to His now Majestie, and would not have suffered Him in His first Enterprise of so great an expectation

expectation to have run the least hazard through their defaults.

This Parliament (after some adjournment by reason of His Majesties unavoidable occasions interposing) being assembled on the eighteenth day of *June*, it is true that His Commons in Parliament, taking into their due and serious consideration the manifold occasions which at His first entry did press His Majestie, and His most important affairs which both at home and abroad were then in action, did with great readines and alacrity, as a pledge of their most bounden Duty and Thankfulness, and as the first fruits of the most dutifull affections of His loving and loyall Subjects devoted to His service, present His Majestie with the free and chearfull gift of two entire Subsidies, which their gift, and much more the freeness and heartiness expressed in the giving thereof, His Majesty did thankfully and lovingly accept. But when He had more narrowly entred into the consideration of His great Affairs wherein He was imbarcked, and from which He could not without much dishonour and disadvantage withdraw His hand, He found that this summe of money was much short of that which of necessity must be presently expended for the setting forward of those great actions which by advice of His Councell He had undertaken, and were that Summer to be pursued. This His Majestie imparted to His Commons House of Parliament: but before the same could receive that debate and due consideration which was fit, the fearfull visitation of the Plague in and about the Cities of *London* and *Westminster*, where the Lords and the principall Gentlemen of quality of His whole Kingdom were for the time of this their service lodged and abiding, did so much increase, that His Majestie, without extreme peril to the lives of His good Subjects, which were dear unto Him, could not continue the Parliament any longer in that place.

His Majesty therefore on the eleventh day of *July* then following adjourned the Parliament from *Westminster* untill the first day of *August* then following, to the Citie of *Oxford*; and His Highness was so carefull to accommodate His Lords and Commons there, that, as He made choice of that place, being then the freest of all others from the danger of that grievous Sicknes, so He there fitted the Parliament-men with all things convenient for their entertainment: and His Majestie Himself being in His own heart sincere and free from all ends

upon His people (which the Searcher of hearts best knoweth) He little expected that any misconstruction of His Actions would have been made, as He there found. But when the Parliament had been a while there assembled, and His Majesties Affairs opened unto them, and a further supply desired, as necessity required, He found them so slow and so full of delays and diversions in their resolutions, that before any thing could be determined, the fearfull Contagion daily increased, and was dispersed into all the parts of this Kingdom, and came home even to their doors where they were assembled.

His Majestie therefore rather preferred the safety of His People from that present and visible danger, then the providing for that which was more remote, but no less dangerous to the state of this Kingdom, and of the affairs of that part of Christendom which then were and yet are in friendship and alliance with His Majestie; and thereupon His Majestie, not being then able to discern when it might please God to stay His hand of Visitation, nor what place might be more secure then other at a time convenient for their re-assembling, His Majestie dissolved that Parliament.

That Parliament being now ended, His Majestie did not therewith cast off His Royall care of His great and important affairs; but by the advice of His Privy Councell and of His Councell of Warre, He continued His preparations and former resolutions, and therein not only expended those moneys which by the two Subsidies aforesaid were given unto Him for His own private use, whereof He had too much occasion, as He found the state of His Exchequer at His first entrance; but added much more of His own, as by His credit and the credit of some of His Servants He was able to compass the same. At last, by much disadvantage by the retarding of provisions and uncertainty of the means, His Navy was prepared and set to Sea, and the designs unto which they were sent and specially directed were so probable and so well advised, that had they not miscarried in the execution, His Majestie is well assured they would have given good satisfaction not only to His own people, but to all the world, that they were not lightly or unadvisedly undertaken and pursued. But it pleased God, who is the Lord of Hosts, and unto whose Providence and good pleasure His Majestie doth and shall ever submit Himself and all His endeavours, not to give that success which was
desired.

desired. And yet were those attempts not altogether so fruitless as the envie of the Times hath apprehended, the Enemie receiving thereby no small loss, and our party no little advantage; and it would much availe to further His Majesties great affairs and the Peace of Christendom, which ought to be the true end of all hostilitie, were these first beginnings, which are most subject to miscarrie, well seconded and pursued, as His Majestie intended, and as, in the judgement of all men conversant in actions of this nature, were fit not to have been neglected.

These things being thus acted, and God of his infinite Goodness, beyond expectation, asswaging the rage of the Pestilence, and in a manner of a suddain restoring health and safety to the Cities of *London* and *Westminster*, which are the fittest places for the resort of His Majestie, His Lords and Commons, to meet in Parliament, His Majestie in the depth of Winter, no sooner descried the probability of a safe assembling of His people, and in His Princely Wisdom and Providence foresaw, that if the opportunitie of seasons should be omitted, preparations both defensive and offensive could not be made in such sort as was requisite for their common safety, but He advised and resolved of the summoning of a new Parliament, where He might freely communicate the necessities of the State, and by the counsell and advice of the Lords and Commons in Parliament, who are the representative body of the whole Kingdom, and the great Counsell of the Realm, He might proceed in these enterprises, and be inabled thereunto, which concern the common good, safety and honour both of Prince and People; and accordingly the sixth of *February* last a new Parliament was begun.

At the first meeting His Majestie did forbear to press them with any thing which might have the least appearance of His own Interest, but recommended unto them the care of making of good Laws, which are the ordinary subject for a Parliament: His Majestie believing that they could not have suffered many days, much less many weeks, to have passed by, before the apprehension and care of the common safetie of this Kingdom, and of the true Religion professed and maintained therein, and of Our Friends and Allies, who must prosper or suffer with us, would have led them to a due and a timely consideration of all the means which might best conduce to those ends: which

the Lords of the higher House by a Committee of that House did timely & seasonably consider of, and invited the Commons to a Conference concerning that great business; at which Conference there were opened unto them the great occasions which pressed His Majesty: which making no impression with them, His Majesty did, first by Message, and after by Letters, put the House of Commons in mind of that which was most necessary, the defence of the Kingdom, and due and timely preparations for the same.

The Commons House after this, upon the seven and twentieth of *March* last, with one unanimous consent at first agreed to give unto His Majesty three intire Subsidies and three Fifteens for a present supply unto Him; and upon the six and twentieth of *April* after, upon second cogitations they added a fourth Subsidy, and ordered the days of payment for them all; whereof the first should have been on the last day of this present month of *June*. Upon this, the King of *Denmark* and other Princes and States being engaged with His Majesty in this Common Cause, His Majesty fitted His occasions according to the times which were appointed for the payment of those Subsidies and Fifteens, and hastened on the Lords Committees and His Councell at Warre to perfect their resolutions for the ordering and setting of His designs: which they accordingly did, and brought them to that maturitie, that they found no impediment to a final conclusion of their Counsels, but want of money to put things into Action. His Majesty hereupon, who had with much patience expected the reall performance of that which the Commons had promised, finding the time of the year passing away, and having intelligence, not onely from His own Ministers and Subjects in forein parts, but from all parts of Christendom, of the great and powerfull preparations of the King of *Spain*, and that His designe was upon this Kingdom, or the Kingdom of *Ireland*, or both, (and it is hard to determine which of them would be of worst consequence) He acquainted the House of Commons therewith, and laid open unto them truly and clearly how the state of things then stood, and yet stand, and at severall times and upon severall occasions re-iterated the same. But that House being abused by the violent and ill-advised Passions of a few members of the House, for private and personall ends, ill beseeming publick persons trusted by their Countrey, as then they were, not onely neglected, but wilfully

wilfully refused to hearken to all the gentle admonitions which His Majestie could give them, and neither did nor would intend any thing but the prosecution of one of the Peers of this Realm; and that in such a disordered manner, as being set at their own instance into a Legall way, wherein the proofs on either part would have ruled the cause, which His Majesty allowed, they were not therewith content, but in their intemperate passions and desires to seek for errours in another, fell into a greater error themselves, and not onely neglected to give just satisfaction to His Majesty in severall cases which happened concerning His Regalitie, but wholly forgot their ingagements to His Majesty for the publick defence of the Realm: whereupon His Majestie wrote a Letter to the Speaker, dated the ninth day of June, 1626. in these words.

T*Rustie and wel-beloved, We greet you well. Our House of Commons cannot forget how often and how earnestly We have called upon them for the speeding of that aide which they intend unto Us for Our great and weighty Affairs, concerning the safety and honour of Us and Our Kingdoms; and now the time being so farre spent, that unless it be presently concluded, it can neither bring Us money nor credit by the time which themselves have prefixed, which is the last of this moneth, and being further deferred would be of little use, We being daily advertised from all parts of the great preparation of the Enemy ready to assaile us, We hold it necessary by these Our Letters to give them Our last and finall admonition, and to let them know, that We shall account all further delays and excuses to be expresse denials: and therefore We will and require you to signifie unto them, that We do expect that they forthwith bring forth their Bill of Subsidie to be passed without delay or condition, so as it may fully pass that House by the end of the next week at the furthest; which if they do not, it will force Us to take other resolutions. But let them know, that if they finish this according to Our desire, that We are resolved to let them sit together for the dispatch of their other affairs, and after their recess to bring them together again the next Winter. And if by their deniall or delay any thing of ill consequence shall fall out either at home or abroad, We may call God and man to witnes, that We have done Our part to prevent it, by calling Our people together to advise with Us, by opening the weight of Our occasions unto them, and by requiring their timely help and assistance in those Actions wherein We stand ingaged by their own Counsells. And We will and command you, that this Letter be publickly read in the House.*

Not.

Notwithstanding which Letter read in the House, being a clear and gracious manifest of His Majesties resolutions, they never so much as admitted one reading to the Bill of Subsidies; but in stead thereof they prepared and voted a Remonstrance or Declaration, which they intended to preferre to His Majestie, containing (though palliated with glosing terms) as well many dishonourable aspersions upon His Majestie, and upon the Sacred memory of His deceased Father, as also dilatorie excuses for their not proceeding with the Subsidies, adding thereto also coloured conditions, crossing thereby His Majesties direction: which His Majestie understanding, and esteeming (as He had cause) to be a deniall of the promised Supply, and finding that no admonitions could move, no reasons or perswasions could prevail, when the time was so farre spent, that they had put an impossibilitie upon themselves to perform their promises, when they esteemed all gracious Messages unto them to be but interruptions; His Majestie upon mature advisement discerning that all further patience would prove fruitless, on the fifteenth day of this present month He hath dissolved this unhappie Parliament: the acting whereof as it was to His Majestie an unexpressible grief; so the memorie thereof doth renew the hearty sorrow which all His good and well-affected Subjects will compassionate with Him.

These passages His Majestie hath at the more length and with the true Circumstances thereof expressed, and published to the world, lest that which hath been unfortunate in it self, through the Malice of the authors of so great a mischief, and the malevolent Report of such as are ill-affected to this State or the true Religion here professed, or the fears or jealousies of Friends and dutifull Subjects, might be made more unfortunate in the Consequences of it, which may be of worse effect then at the first can be well apprehended. And His Majestie, being best privie to the integritie of His own heart, for the constant maintaining of the sinceritie and unitie of the true Religion professed in the Church of *England*, and to free it from the open contagion of Popery and secret infection of Schism, of both which by His publick Acts and Actions He hath given good testimony, and with a single heart, as in the presence of God, who can best judge thereof, purposeth resolutely and constantly to proceed in the due execution of either; and observing the subtilty of the adverse partie, He cannot
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but believe that the hand of *Joab* hath been in this disaster, that the common Incendiaries of Christendome have subtilly and secretly insinuated those things which unhappily (and, as His Majestie hopeth, beyond the intentions of the Actors) have caused these diversions and distractions : and yet notwithstanding His most Excellent Majestie, for the comfort of His good and well-affected Subjects, in whose loves He doth repose Himself with confidence, and esteemeth it as His greatest riches; for the assuring of His Friends and Allies, with whom, by God's assistance, He will not break in the substance of what He hath undertaken; for the discouraging of His Adversaries, and the adversaries of His Cause, and of His Dominions and Religion, hath put on this resolution, which He doth hereby publish to all the world ; That as God hath made Him King of this great People and large Dominions, famous in former Ages both by Land and Sea, and trusted Him to be a Father and Protector both of their persons and fortunes, and a Defender of the Faith and true Religion : so He will goe on chearfully and constantly in the defence thereof, and (notwithstanding so many difficulties and discouragements) will take His Scepter & Sword into His hand, and not expose the persons of the people committed to His charge to the unsatiable desires of the King of *Spain*, who hath long thirsted after an universall Monarchy, nor their Consciences to the yoke of the Pope of *Rome* ; and that at home He will take that care to redress the just Grievances of His good Subjects as shall be every way fit for a good King.

And in the mean time His Majestie doth publish this to all His loving Subjects, that they may know what to think with truth, and speak with duty, of His Majesties Actions and Proceedings in these two last dissolved Parliaments.

Given at His Majesties Palace at White-Hall, this thirtieth day of June, in the second year of His Majesties Reign of Great Britain, France, and Ireland.

His

His MAJESTIES Declaration to all His Loving Subjects, of the Causes which moved Him to dissolve His Third Parliament.

Published by His Majesties speciall command.

¶ By the KING.

A Proclamation about the dissolving of the Parliament.

WHereas We, for the generall good of Our Kingdom, caused Our High Court of Parliament to assemble and meet by Prorogation the twentieth day of *January* last past, sithence which time the same hath been continued: and although in this time, by the malevolent dispositions of some ill-affected persons of the House of Commons, We have had sundry just causes of offence and dislike of their proceedings; yet We resolved with patience to trie the uttermost, which We the rather did, for that We found in that House a great number of sober and grave persons, well affected to Religion and Government, and desirous to preserve Unitie and Peace in all parts of Our Kingdom; and therefore having on the five and twentieth day of *February* last, by the uniform Advice of Our Privie Councell, caused both Houses to be adjourned untill this present day, hoping in the mean time that a better and more right understanding might be begotten between Us & the Members of that House, whereby this Parliament might have an happy end and issue; and for the same intent, We did again this day command the like Adjournment to be made untill the tenth day of this month: It hath so happened by the disobedient and seditious carriage of those said ill-affected persons of the House of Commons, that We and Our Regall authority and commandement have been so highly contemned, as Our Kingly Office cannot bear, nor any former Age can parallel. And therefore it is Our full and absolute resolution to dissolve the same Parliament; whereof We thought good to give notice unto all the Lords Spiritual and Temporal, and to the Knights, Citizens and Burgeses of this present Parliament, and to all others
whom

whom it may concern, that they may depart about their needfull affairs, without attending any longer here. Nevertheless We will that they and all others should take notice, that We do and ever will distinguish between those who have shewed good affection to Religion and Government, and those that have given themselves over to Faction, and to work disturbance to the Peace and good order of Our Kingdom.

Given at Our Court at White-hall, this second day of March, in the fourth year of Our Reign of Great Britain, France, and Ireland.

God save the KING.

His MAJESTIES Speech at the Dissolving of the Parliament.

My Lords,

I Never came here upon so unpleasant an occasion, it being the Dissolution of a Parliament. Therefore men may have some cause to wonder why I should not rather chuse to doe this by Commission, it being a generall Maxime of Kings, to leave harsh commands to their Ministers, Themselves only executing pleasing things. Yet considering that Justice as well consists in reward and praise of Vertue as punishing of Vice; I thought it necessary to come here to day, to declare to you and all the world, that it was merely the undutifull and seditious carriage in the lower House that hath made the Dissolution of this Parliament. And you, My Lords, are so farre from being causes of it, that I take as much comfort in your dutifull demeanors, as I am justly distasted with their proceedings. Yet to avoid mistakings, let Me tell you, that it is so farre from Me to adjudge all the House alike guilty, that I know that there are many there as dutifull Subjects as any in the world; it being but some few Vipers amongst them that did cast this mist of undutifulness over most of their eyes: yet to say truth, there was a good number there that could not be infected with this contagion; insomuch that some did expresse their duties in speaking; which was the generall fault

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of the House the last day. To conclude, as these Vipers must look for their reward of punishment ; so you, my Lords, may justly expect from Me that favour and protection that a good King oweth to His loving and dutifull Nobility.

And now, My Lord Keeper, doe what I have commanded you.

*His MAJESTIES Declaration to all His loving Subjects,
of the Causes which moved Him to Dissolve the Parliament.*

Howsoever Princes are not bound to give account of their Actions but to God alone ; yet for the satisfaction of the minds and affections of Our loving Subjects, We have thought good to set down thus much by way of Declaration, that We may appear to the world in the truth and sincerity of Our own Actions, and not in those colours in which We know some turbulent and ill-affected Spirits (to masque and disguise their own wicked intentions, dangerous to the State) would represent Us to the publick view.

We assembled Our Parliament the seventeenth day of *March*, in the third year of Our Reign, for the safety of Religion, for securing Our Kingdoms and Subjects at home, and Our Friends and Allies abroad : and therefore at the first sitting down of it We declared the miserable afflicted estate of those of the Reformed Religion in *Germany*, *France* and other parts of Christendom ; the distressed extremities of Our dearest Uncle the King of *Denmark*, chased out of a great part of his Dominions ; the strength of that party which was united against Us ; that (besides the *Pope* and house of *Austria* and their ancient Confederates) the *French* King professed the rooting out of the Protestant Religion ; that of the Princes and States on Our party some were over-run, others diverted, and some disabled to give assistance. For which and other important motives We propounded a speedie supplie of Treasure, answerable to the necessities of the Cause.

These things in the beginning were well resented by the House of Commons, and with much alacrity and readines they agreed to grant a liberall aid : But before it was brought to any perfection they were
diverted

diverted by a multitude of questions raised amongst them concerning their Liberties and Privileges, and by other long disputes, that the Bill did not pass in a long time; and by that delay Our affairs were put into farre worse case then at the first, Our forein actions then in hand being thereby disgraced and ruined for want of timely help.

In this, as We are not willing to derogate from the merit and good intentions of those wise and moderate men of that House (to whose forwardness We attribute it that it was propounded and resolved so soon,) so We must needs say, that the delay of passing it when it was resolved, occasioned by causeless jealousies stirred up by men of another temper, did much lessen both the reputation and reality of that supply: and their spirit infused into many of the Commissioners and Assessors in the Countrey, hath returned up the Subsidies in such a scantie proportion as is infinitely short, not onely of Our great Occasions, but of the precedents of former Subsidies, and of the intentions of all well-affected men in that House.

In those large disputes, as We permitted many of Our high Prerogatives to be debated, which in the best times of Our Predecessors had never been questioned without punishment or sharp reproof; so We did endeavour to have shortned those debates, for winning of time, which would have much advantaged Our great Affairs both at home and abroad: And therefore both by Speeches and Messages We did often declare Our gracious and clear resolution to maintain, not onely the Parliament, but all Our People, in their ancient and just liberties, without either violation or diminution; and in the end, for their full satisfaction and securitie, did by an answer, framed in the form by themselves desired, to their Parliamentary Petition, confirm their ancient and just Liberties and Rights; which We resolve with all Constancie and Justice to maintain.

This Parliament, howsoever, besides the settling Our necessary Supplie and their own Liberties, they wasted much time in such proceedings (blasting Our Government) as We are unwilling to remember, yet We suffered to sit untill themselves desired us to appoint a time for their recess, not naming either Adjournment or Prorogation.

Whereupon, by advice of Our Councell, We resolved to Prorogue, and make a Session: and to that end prefixed a day, by which they

might (as was meet in so long a sitting) finish some profitable and good Laws; and withall gave order for a gracious pardon to all Our Subjects: which, according to the use of former Parliaments, passed the higher House, and was sent down to the Commons. All which being graciously intended by Us, was ill entertained by some disaffected persons of that House, who by their artifices in a short time raised so much heat and distemper in the House, for no other visible cause, but because We had declared Our resolution to prorogue, as Our Counsell advised, and not to adjourn, as some of that House (after Our resolution declared, and not before) did manifest themselves to affect; that seldome hath greater passion been seen in that House upon the greatest occasions. And then some glances in the House, but open rumors abroad, were spread, that by the Answer to the Petition We had given away not onely Our Impositions upon goods exported and imported, but the Tonnage and Poundage: whereas in the debate and hammering of that Petition there was no speech or mention in either House concerning those Impositions, but concerning Taxes and other charges within the Land; much less was there any thought thereby to debarre Us of Tonnage and Poundage, which both before and after the Answer to that Petition, the House of Commons, in all their Speeches and Treaties, did profess they were willing to grant. And at the same time many other misinterpretations were raised of that Petition & Answer, by men not well distinguishing between well-ordered libertie and licentiousness; as if by Our Answer to that Petition We had let loose the Reines of Our Government. And in this distemper, the House of Commons laying aside the pardon (a thing never done in any former Parliament) & other businesses fit to have been concluded that Session, some of them went about to frame and contrive a Remonstrance against Our receiving of Tonnage and Poundage; which was so farre proceeded in, the night before the prefixed time for concluding the Session, and so hastened by the contrivers thereof, that they meant to have put it to the Vote of the House the next morning, before We should prorogue the Session. And therefore finding Our gracious favours in that Session afforded to Our people so ill requited, and such sinister strains made upon Our Answer to that Petition, to the diminution of Our Profit, & (which was more) to the danger of Our Government; We resolved

to prevent the finishing of that Remonstrance, and other dangerous intentions of some ill-affected persons, by ending the Session the next morning some few hours sooner then was expected, and by Our own mouth to declare to both Houses the causes thereof; and, for hindring the spreading of those sinister interpretations of that Petition and Answer, to give some necessary directions for settling and quieting Our Government untill another meeting, which We performed accordingly the six and twentieth of *June* last.

The Session thus ended and the Parliament risen, that intended Remonstrance gave Us occasion to look into that business of Tonnage and Poundage. And therefore, though Our necessities pleaded strongly for Us, yet We were not apt to strain that point too farre, but resolved to guide Our self by the practice of former ages, and examples of Our most Noble Predecessours; thinking those Counsells best warranted, which the wisdom of former ages concurring with the present occasions did approve: And therefore gave order for a diligent search of Records; upon which it was found, that although in the Parliament holden in the first year of the Reign of King *Edward* the Fourth, the Subsidie of Tonnage and Poundage was not granted unto that King, but was first granted unto him by Parliament in the third year of his Reign; yet the same was accounted and answered to that King from the first day of his Reign, all the first and second years of his Reign, and untill it was granted by Parliament: and that in the succeeding times of King *Richard* the Third, King *Henry* the Seventh, King *Henry* the Eighth, King *Edward* the Sixth, Queen *Mary*, and Queen *Elizabeth*, the Subsidie of Tonnage and Poundage was not onely enjoyed by every of those Kings and Queens, from the death of each of them deceasing, untill it was granted by Parliament unto the Successor; but in all those times, (being for the most part peaceable, and not burthen'd with like charges and necessities as these modern times) the Parliament did most readily and chearfully, in the beginning of every of those Reigns, grant the same, as a thing most necessary for the guarding of the Seas, safetie and defence of the Realm, and supportation of the Royall Dignitie. And in the time of Our Royall Father, of blessed memory, He enjoyed the same a full year, wanting very few days, before his Parliament began, and above a year before the Act of Parliament for the grant of it was passed: and yet

when the Parliament was assembled, it was granted without difficulty. And in Our own time, We quietly received the same three years and more, expecting with patience in severall Parliaments the like grant thereof as had been made to so many of Our Predecessours; the House of Commons still professing, that multitude of other business, and not want of willingness on their part, had caused the settling thereof to be so long deferred. And therefore finding so much reason and necessity for the receiving of the ordinarie duties in the Custome-House to concur with the practice of such a Succession of Kings and Queens, famous for Wisdom, Justice and Government, and nothing to the contrary, but that intended Remonstrance hatched out of the passionate brains of a few particular persons; We thought it so farre from the wisdom and dutie of a House of Parliament, as We could not think that any moderate and discreet man (upon composed thoughts, setting aside passion and distemper) could be against receiving of Tonnage and Poundage; especially since We do and still must pursue those ends, and undergoe that Charge, for which it was first granted to the Crown; it having been so long and constantly continued to Our Predecessours, as that in four severall Acts of Parliament for the granting thereof to King *Edward* the Sixth, Queen *Mary*, Queen *Elizabeth*, and Our blessed Father, it is in expresse terms mentioned to have been had and enjoyed by the severall Kings named in those Acts, time out of mind, by authority of Parliament. And therefore, upon these reasons, We held it agreeable to Our Kingly Honour, and necessary for the safety and good of Our Kingdom, to continue the receipt thereof, as so many of Our Predecessours had done. Wherefore when a few Merchants (being at first but one or two) fomented, as it is well known, by those evil Spirits that would have hatched that undutifull Remonstrance, began to oppose the payment of Our accustomed duties in the Custome-house, We gave order to the Officers of Our Customs to goe on, notwithstanding that opposition, in the receiving of the usuall duties; and caused those that refused to be warned to attend at the Councill-board, that by the wisdom & authority of Our Councill they might be reduced to obedience and duty. where some of them, without reverence or respect to the honour and dignity of that presence, behaved themselves with such boldness and insolency of speech, as was not to be endured by a farre meaner Assembly;

sembly; much less to be countenanced by a House of Parliament, against the body of Our Privie Councell.

And as in this We did what in honour and reason was fit for the present; so Our thoughts were daily intente upon the re-assembling of Our Parliament, with full intention on Our part to take away all ill understanding between Us and Our people, whose loves as We desired to continue and preserve, so We used Our best endeavours to prepare and facilitate the way to it. And to this end, having taken a strict and exact survey of Our Government both in the Church and Commonwealth, and what things were most fit and necessary to be reformed, We found in the first place, that much exception had been taken at a book intituled *Appello Casarem*, or An Appeal to *Cesar*, and published in the year 1625. by *Richard Mountague*, then Batchelour of Divinitie, and now Bishop of *Chichester*: and because it did open the way to those Schisms and Divisions which have since ensued in the Church, We did, for remedie and redress thereof, and for satisfaction of the Consciences of Our good people, not only by Our publick Proclamation call in that Book, which ministred matter of offence; but, to prevent the like danger for hereafter, reprinted the Articles of Religion established in the time of Queen *Elizabeth* of famous memorie; and, by a Declaration before those Articles, We did tie and restrain all Opinions to the sense of those Articles, that nothing might be left for private fancies and innovation. For We call God to record, before whom We stand, that it is, and always hath been, Our hearts desire to be found worthy of that Title which We accompt the most glorious in all Our Crown, *Defender of the Faith*: neither shall We ever give way to the authorizing of any thing whereby any Innovation may steal or creep into the Church, but preserve that unity of Doctrine and Discipline established in the time of Queen *Elizabeth*, whereby the Church of *England* hath stood and flourished ever since.

And as We were carefull to make up all breaches and rents in Religion at home; so did We, by Our Proclamation and Commandment for the execution of Laws against Priests and Popish Recusants, fortifie all ways and approaches against that forein Enemie: which if it have not succeeded according to Our intention, We must lay the fault where it is, in the subordinate Officers and Ministers in the Countrey, by whose remissness Jesuites and Priests escape without

apprehension, and Recusants from those convictions and penalties which the Laws and Our Commandement would have inflicted on them. For We do profess that, as it is Our dutie, so it shall be our care, to command and direct well; but it is the part of others to perform the Ministeriall Office. And when We have done Our Office, We shall account Our Self, and all charitable men will accompt Us, innocent both to God and Men: and those that are negligent, We will esteem as culpable both to God and Us; and therefore will expect that hereafter they give Us a better accompt.

And as We have been carefull for the settling of Religion and quieting the Church, so were We not unmindfull of the preservation of the just and ancient Liberties of Our Subjects; which We secured to them by Our gracious Answer to the Petition in Parliament, having not since that time done any Act whereby to infringe them; but Our care is, and hereafter shall be, to keep them intire and inviolable, as We would doe Our own Right and Sovereignty; having for that purpose enrolled the Petition and Answer in Our Courts of Justice.

Next to the care of Religion and of Our Subjects Rights, We did Our best for the provident and well ordering of that aid and supply which was granted Us the last Session; whereof no part hath been wastfully spent, nor put to any other use then those for which it was desired and granted, as upon payment of Our Fleet and Armie: wherein Our care hath been such, as We chose rather to discontent Our dearest Friends and Allies, and Our nearest Servants, then to leave Our Souldiers and Mariners unsatisfied, whereby any vexation or disquiet might arise to Our people. We have also with part of those Moneys begun to supply Our Magazines and stores of Munition, and to put Our Navie into a constant form and order. Our Fleet likewise is fitting, and almost in a readines; whereby the Narrow Seas may be guarded, Commerce maintained, and Our Kingdom secured from all forein attempts. These Acts of Ours might have made this impression in all good minds, that We were carefull to direct Our counsells and dispose Our actions so as might most conduce to the maintenance of Religion, honour of Our Government, and safetie of Our People. But with mischievous men once ill-affected, *Seu bene, seu malè facta premunt*: and whatsoever once seemed amiss, is ever remembered; but good endeavours are never regarded.

Now

Now all these things, that were the chief complaints the last Session, being by Our Princely care so seriously reformed, the Parliament re-assembled the twentieth of *January* last: We expecting, according to the candor and sinceritie of Our own thoughts, that men would have framed themselves for the effecting a right understanding between Us and Our people. But some few malevolent persons, like Empiricks and lewd Artists, did strive to make new work, and to have some Disease on foot to keep themselves in request, and to be employed and entertained in the Cure. And yet, to manifest how much offences have been diminished, the Committees for Grievances, Committees for Courts of Justice, and Committees for Trade have since the sitting down of the Parliament received few complaints; and those such, as they themselves have not thought to be of that moment or importance with which Our ears should be acquainted.

No sooner therefore was the Parliament set down, but these ill-affected men began to sow and disperse their Jealousies, by casting out some glances and doubtfull speeches, as if the Subject had not been so clearly and well dealt with touching their Liberties, and touching the Petition answered the last Parliament. This being a plausible theme, thought on for an ill purpose, easily took hold on the minds of many that knew not the practice: And thereupon the second day of the Parliament a Committee was appointed to search, whether the Petition and Our Answer thereunto were enrolled in the Parliament Roll and in the Courts at *Westminster*, and in what manner the same was done. And a day was then also appointed on which the House, being resolved into a Committee, should take into consideration those things wherein the Liberty of the Subject had been invaded, against that Petition. This, though it produced no other effect of moment or importance, yet was sufficient to raise a jealousy against Our Proceedings in such as were not well acquainted with the sincerity and clearness of them. There followed another of no less skill: for although Our proceeding before the Parliament about matters of Religion might have satisfied any moderate men of Our zealous care thereof (as We are sure it did the most;) yet, as bad stomachs turn the best things into their own nature for want of good digestion, so those distempered persons have done the like of Our good intents, by a bad and sinister interpretation. For when they did observe that
many

many honest and Religious minds in that House did complain of those dangers that did threaten the Church; they likewise took the same word in their mouth, and their cry likewise was *Templum Domini*, *Templum Domini*, when the true care of the Church never came into their hearts: and what the one did out of zeal unto Religion, the other took up as a plausible theme to deprave Our Government; as if We, Our Clergie and Councell, were either senseless or careless of Religion. And this wicked practice hath been to make Us seem to walk before Our people as if We halted before God.

Having by these Artifices made a jealous impression in the hearts of many, and a day being appointed to treat of the Grant of Tonnage and Poundage; at the time prefixed all express great willingness to grant it: but a new strain is found out, that it could not be done without great perill to the Right of the Subject, unless We should disclaim any right therein but by Grant in Parliament; and should cause all those goods to be restored which upon Commandement from Us or Our Councell were stayed by Our Officers, untill those duties were payed; and consequently should put Our self out of possession of the Tonnage and Poundage before they were granted: for else it was pretended the Subject stood not in fit case to grant it. A fancie and cavil raised of purpose to trouble the business; it being evident that all the Kings before named did receive that duty, and were in actuall possession of it, before, and at the very time when it was granted to them by Parliament. And although We, to remove all difficulties, did from Our own mouth, in those clear and open terms that might have satisfied any moderate and well-disposed minds, declare, that it was Our meaning by the gift of Our people to enjoy it, and that We did not challenge it of right, but took it *de bene esse*, shewing thereby not the right, but the necessity by which We were to take it; wherein We descended for their satisfaction so far beneath Our self, as We are confident never any of Our Predecessors did the like, nor was the like ever required or expected from them: yet for all this the Bill of Tonnage and Poundage was laid aside, upon pretence they must first clear the right of the Subject therein; under colour whereof they entertain the complaints not onely of *John Rolls*, a member of their House, but also of *Richard Chambers*, *John Fowkes* and *Bartholomew Gilman*, against the Officers of Our Customes, for detain-
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ning their goods upon refusall to pay the ordinary duty accustomed to be payed for the same. And upon these complaints they send for the Officers of the Customes, enforcing them to attend day after day by the space of a month together; they cause them to produce their Letters Patents under Our great Seal, and the Warrants made by Our Privy Councill for levying of those duties; they examine the Officers upon what questions they please, thereby to entrap them for doing Our Service and Commandement. In these and other their Proceedings, because We would not give the least shew of interruption, We endured long with much patience both these and sundry other strange and exorbitant incroachments and usurpations, such as were never before attempted in that House.

We are not ignorant how much that House hath of late years endeavoured to extend their Privileges, by setting up generall Committees for Religion, for Courts of Justice, for Trade, and the like; a course never heard of untill of late: so as where in former times the Knights and Burgeses were wont to communicate to the House such business as they brought from their Countries, now there are so many Chairs erected to make enquiry upon all sorts of men, where complaints of all sorts are entertained, to the unsufferable disturbance and scandall of Justice and Government; which having been tolerated a while by Our Father and Our self, hath daily grown to more and more height; insomuch as young Lawyers sitting there take on them to decry the Opinions of the Judges, and some have not doubted to maintain that the resolutions of that House must binde the Judges; a thing never heard of in ages past. But in this last Assembly of Parliament they have taken on them much more then ever before.

They sent Messengers to examine Our Attorney Generall, who is an Officer of trust and secrecy, touching the execution of some Commandements of Ours; of which, without Our leave first obtained, he was not to give account to any but to Our self. They sent a captious and directorie message to the Lord Treasurer, Chancellor, and Barons of the Exchequer, touching some judiciall proceedings of theirs in Our Court of Exchequer.

They sent Messengers to examine upon sundry questions Our two chief Justices, and three other of Our Judges, touching their
judiciall

judiciall proceedings at the Gaol-Delivery at *Newgate* ; of which they are not accomptable to the House of Commons.

And whereas Suits were commenced in Our Court of *Star-Chamber* against *Richard Chambers*, *John Fowkes*, *Bartholomew Gilman* and *Richard Philips*, by Our Attorney Generall, for great misdemeanors, they resolved that they were to have Privilege of Parliament against Us for their persons, for no other cause, but because they had Petitions depending in that House; and (which is more strange) they resolved that a Signification should be made from that House, by a Letter to issue under the hand of their Speaker, unto the Lord Keeper of Our Great Seal, that no Attachments should be granted out against the said *Chambers*, *Fowkes*, *Gilman*, or *Philips*, during their said Privilege of Parliament: whereas it is farre above the power of that House, to give direction to any of Our Courts at *Westminster* to stop Attachments against any man, though never so strongly privileged; the breach of privilege being not in the Court that grants, but in the partie or Minister that puts in execution such Attachments. And therefore if any such Letter had come to the Lord Keeper, as it did not, he should have highly offended Us if he had obeyed it. Nay, they went so farre, as they spared not the Honour of Our Councill-board, but examined their proceedings in the case of Our Customers, interrogating what this or that man of Our Councill said in direction of them in the business committed to their charge. And when one of the members of that House, speaking of Our Counsellors, said, We had wicked Counsell, and another said, That the Councill and Judges sought to trample under feet the Libertie of the Subject, and a third traduced Our high Court of *Star-Chamber* for the sentence given against *Savage*; they passed without check or censure by the House. By which may appear how farre the members of that House have of late swollen beyond the rules of moderation, and the modesty of former times; and this under pretence of privilege and freedom of speech, whereby they take libertie to declare against all authoritie of Councill and Courts at their pleasure.

They sent for Our Sheriff of *London*, to examine him in a cause whereof they had no jurisdiction; their true and ancient jurisdiction extending only to their own Members, and to the conservation of their Privileges, and not to the censure of forein persons and causes,
which

which have no relation to their Privileges; the same being but a late Innovation. And yet, upon an enforced strain of a contempt, for not answering to their satisfaction, they committed him to the Tower of London, using that outward pretext for a cause of their committing him; the true and inward cause being, for that he had shewed himself dutifull to Us and Our Commandements in the matter concerning Our Customes.

In these Innovations (which We will never permit again) they pretended, indeed, Our service; but their drift was to break by this means through all respects and ligaments of Government, and to erect an universall overswaying power to themselves, which belongs onely to Us, and not to them.

Lastly, in their proceedings against Our Customers, they went about to censure them as Delinquents, and to punish them for staying some goods of some factious Merchants in Our Store-house, for not paying those duties which themselves had formerly payed, and which the Customers without interruption had received of all other Merchants many years before, and to which they were authorized both by Our great Seal, and by severall directions and commandements from Us and Our Privy Councill.

To give some colour to their proceedings herein, they went about to create a new Privilege, which We will never admit; That a Parliament-man hath privilege for his goods against the King: the consequence whereof would be, that he may not be constrained to pay any duties to the King during the time of Privilege of Parliament.

It is true, they would have made this case to have been between the Merchant and Our Farmers of Our Custome, and have severed them from Our Interest and Commandement, thereby the rather to make them liable to the censure and punishment of that House. But on the other side We, holding it both unjust and dishonorable to withdraw Our self from Our Officers in any thing they did by Our Commandement, or to disavow any thing that We had enjoined to be done, upon Monday, the three and twentieth day of February, sent a Message unto them by Secretarie Coke, thanking them for the respect they had shewed in severing the Interest of Our Farmers from Our own Interest and Commandement: nevertheless We were bound

in Honour to acknowledge as truth, that what was done by them was done by Our expresse direction and commandement ; and if for doing thereof Our Farmers should suffer, it would highly concern Us in Honour. Which Message was no sooner delivered unto them, but in a tumultuous and discontented manner they called, *Adjourn, Adjourn* ; and thereupon, without any cause given on Our part, in a very unusual manner adjourned themselves untill the Wednesday following : on which day, by the uniform advice of Our Privie Councel, We caused both Houses to be adjourned untill the second day of *March* ; hoping that in the mean time a better and more right understanding might be begotten between Us and the members of that House, whereby the Parliament might come to an happy issue.

But understanding by good advertisement that their discontent did not in that time digest and pass away, We resolved to make a second Adjournment untill the tenth of *March* ; which was done as well to take time to Our self to think of some means to accommodate those difficulties, as to give them time to advise better : and accordingly We gave commandement for a second Adjournment in both Houses, and for cessation of all busineses till the day appointed. Which was very dutifully obeyed in the Higher House, no man contradicting or questioning it. But when the same commandement was delivered in the House of Commons by their Speaker, it was straightways contradicted : and although the Speaker declared unto them, it was an absolute Right and power in Us to adjourn, as well as to prorogue or dissolve, and declared and read unto them divers precedents of that House to warrant the same, yet Our commandement was most contemptuously disobeyed ; and some rising up to speak, saying they had business to doe before the House should be adjourned, the Speaker again declared Our expresse and peremptorie command to adjourn, and that himself should presently leave the House, and come unto Us : which he offered to doe, but was withstood by two that had of purpose placed themselves, one on either side of the Speakers Chaire, and by force held him in for a time : yet the Speaker finding means to get out of the Chair, and purposing to come to Us, as We had commanded, those two and divers others caught hold of him, and by strong hand brought him back, and set him in the Chair against his will ; and then a member of that House
cast

cast out a most seditious paper, framed by himself and his Adherents; without any warrant from the House, and containing a proscription of such as in dutie and obedience to Us should advise or assist Us in the receipt of Tonnage and Poundage, or should pay that dutie, as Enemies to the State; and required it to be read. A most audacious insolencie, for any to presume to doe that of their own heads, which if the whole House had done in that manner, had been above their power, and had deserved the highest censure. But the Speaker refusing to read it, the Author of it took on him most seditiously & factiously to declare the contents of it, and he and other his Adherents required it should be put to the question. Which being disliked by many grave and wise men in the House, and refused by the Speaker (as We doubt not but all good men will believe he had cause, and even abhorre the memorie of that insolent and seditious Act) yet many bitter taunts and invectives were uttered against the Speaker by those factious persons, and the doors being fast locked, such as were well-affected to Our service were, against their wills, kept in the House all the time of this tumult and disorder. And when some Advertisement came to Us that the House was in great distemper, We first sent for the Serjeant of the House; whom they, after they knew Our pleasure therein, presumptuously detained. And after We sent a Message unto them by the Gentleman-usher of the Higher House: but he coming to the door, and declaring that he had a Message from Us, was refused to be admitted; and being kept at the door a long time, at last the House adjourned themselves without receiving Our Message. A proceeding so irregular as no Parliament can parallel; when Our absolute Commands, warranted by Law and precedents of former times, were disobeyed, the Speaker violated, Our Messenger and message excluded, which ought to have been admitted if they were a House; and if they were not a House, they ought not at all to have disputed, much less to blast, the honour of Our Servants, to proscribe Our best Subjects, and give Law to Sovereignty, striking at the very essence of Monarchy. By all which it appears, that there wanted not men in that House that would get themselves a name by setting *Diana's* Temple on fire, and make themselves popular by putting all the Kingdome in combustion. For what other end could there be in that malicious speech, whereby a wicked *Shimei* at

that time would make Us odious in the eyes of all Our people, as if it were meant to transferre all Trade, and give the fatness of the Land to Strangers? A concept (We call God to witness) which never entred into Our Soul, and, We think, never harboured in any heart but that seditious heart which first broached it. For God forbid We should love any ends so well, as by any necessity to be driven to forget that indissoluble bond between Us and Our people.

We could and would have expected longer, had We conceived any hope of their returning to their duty. Whilest the Duke of *Buckingham* lived, He was intituled to all the distempers and ill events of former Parliaments; and therefore much endeavour was used to demolish him, as the onely wall of separation between Us and Our people. But now he is dead, no alteration was found amongst those envenomed spirits, which troubled then the blessed harmony between Us and Our Subjects, and continue still to trouble it. For now, under the pretence of publick care of the Commonwealth, they suggest new and causeless fears, which in their own hearts they know to be false; and devise new engines of mischief, so to cast a blindness upon the good affections of Our people, that they may not see the truth and largeness of Our heart towards them: so that now it is manifest the Duke was not alone the mark that those men shot at, but was only, as a near Minister of Ours, taken upon the by, and in their passage to their more secret designs; which only were to cast Our Affairs into a desperate condition, to abate the powers of Our Crown, and to bring Our Government into obloquie, that in the end all things may be overwhelmed with anarchie and confusion.

We do not impute these disasters to the whole House of Commons, knowing that there were amongst them many religious, grave, and well-minded men; but the sincerer and better part of the House being over-born by the practices and clamors of the other, who, careless of their duties, and taking advantage of the Times and Our Necessities, have forced Us to break off this meeting, which had it been answered with like dutie on their parts as it was invited and begun with love on Ours, might have proved happie and glorious both to Us and this whole Nation.

We have thus declared the manifold causes We had to dissolve this Parliament: whereby all the world may see how much they have

have forgotten their former engagements at the entry into the Warre, themselves being perswaders to it, promising to make us feared by Our Enemies, and esteemed by Our Friends; and how they turned the necessities grown by that Warre, to enforce Us to yield conditions incompatible with Monarchie. And now, that Our people may discern that these provocations of evil men (whose punishment We reserve to a due time) have not changed Our good intentions to Our Subjects, We do here profess to maintain the true Religion and Doctrine established in the Church of *England*, without admitting or conniving at any backsliding either to Popery or Schism. We do also declare, that We will maintain the ancient and just Rights and Liberties of Our Subjects with so much constancy and justice, that they shall have cause to acknowledge, that under Our Government and gracious protection they live in a more happy and free estate than any Subjects in the Christian world. Yet let no man hereby take the boldness to abuse that Libertie, turning it to licentiousness, nor misinterpret the Petition, by perverting it to a lawless libertie, wantonly or frowardly under that or any other colour to resist lawfull and necessary Authoritie. For as We will maintain Our Subjects in their just Liberties; so We do and will expect that they yield as much submission and dutie to Our Royall Prerogatives, and as ready obedience to Our Authoritie and Commandements, as hath been performed to the greatest of Our Predecessors.

And for Our Ministers, We will not that they be terrified by those harsh proceedings that have been strained against some of them. For as We will not command any thing unjust or dishonorable, but shall use Our Authoritie and Prerogatives for the good of Our People; so We will expect that Our Ministers obey Us, and they shall assure themselves We will protect them.

As for Our Merchants, We let them know, We shall always endeavour to cherish and enlarge the trade of such as be dutifull, without burthening them beyond that which is fitting; but the dutie of five in the hundred for the guarding of the Seas and defence of the Realm (to which We hold Our selves still obliged, and which dutie hath continued without interruption so many successions of ages,) We hold no dutifull or good Subject will deny it, being so necessary for the good of the whole Kingdom. And if any factious Mer-

chant will affront Us in a thing so reasonable, and wherein We require no more nor in no other manner then so many of our Predecessors have done, and have been dutifully obeyed; let them not deceive themselves, but be assured that We shall find Honourable and just means to support Our Estate, vindicate Our Sovereignty, and preserve that Authoritie which God hath put into Our hands.

And now, having laid down the truth and cleareness of Our proceedings, all wise and discreet men may easily judge of those rumors and jealous fears that are maliciously and wickedly bruited abroad; and may discern by examination of their own hearts, whether in respect of the free passage of the Gospel, indifferent and equal administration of Justice, freedome from Oppression, and the great Peace and quietness which every man enjoyeth under his own vine and fig-tree, the Happiness of this Nation can be parallel'd by any other of Our neighbour Countreys: and if not, then to acknowledge their own blessedness, and for the same be thankfull to God, the Author of all goodness.

By the KING.

A Proclamation for suppressing of false Rumours touching Parliaments.

WHereas, notwithstanding Our late Declaration for satisfying of the minds and affections of Our loving Subjects, some ill-disposed persons do spread false and pernicious Rumours abroad, as if the scandalous and seditious Proposition in the House of Commons, made by an utlawed man, desperate in mind and fortune, which was tumultuously taken up by some few after that by Our Royall Authority We had commanded their Adjournment, had been the Vote of the whole House, whereas the contrary is the truth; for it was then decried by the wisest and best affected, and is since disavowed upon examination by such as were suspected to have consented thereunto, and affirmed, as well by them as others who served in the House that day, to be a thing of a most wicked and dangerous consequence to the good estate of this Kingdom: which appeareth to be so, by those impressions which this false

Rumour

Rumour hath made in mens minds, whereby, out of causeless fears, the Trade of the Kingdom is disturbed, and Merchants discouraged to continue in their wonted Traffique : We have thought it expedient, not onely to manifest the truth hereof, but to make known Our Royall pleasure, that those who raise or nourish such false reports shall be severely punished, and such as chearfully goe on with their Trade have all good incouragement, not purposing to overcharge Our Subjects by any new burthens, but to satisfie Our selves with those Duties that were received by the King Our Father of blessed memory : which We neither can nor will dispense withall, but shall esteem them unworthy of Our Protection who shall deny the same; We intending to imploy it for defence of Our Kingdomes, Dominion of Our Seas, and safeguard of Our Merchants, specially by such Shipping as are now making ready, and such further preparation for aide of Our Friends and Allies as need shall require.

And whereas, for severall ill ends, the calling again of a Parliament is divulged; howsoever We have shewed, by Our frequent meeting with Our People, Our love to the use of Parliaments; yet the late abuse having for the present driven Us unwillingly out of that course, We shall accompt it presumption for any to prescribe any time unto Us for Parliaments, the Calling, Continuing, and Dissolving of which is alwaies in Our own power : and We shall be more inclinable to meet in Parliament again, when Our People shall see more clearly into our Intents and Actions, when such as have bred this interruption shall have received their condigne punishment, and those who are mis-led by them, and by such ill reports as are raised upon this occasion, shall come to a better understanding of Us and themselves.

Given at Our Court of White-Hall, this seven and twentieth day of March, in the fifth year of Our Reign of Great Britain, France and Ireland.

God save the KING.

MDC XXIX.

(D 4)

His

His MAJESTIES Letter to the Judges concerning Ship-money.

To Our Trusty and Wel-beloved, Sir *John Bramston*, Knight, Chief Justice of Our Bench, Sir *John Finch*, Knight, Chief Justice of Our Court of Common Pleas, Sir *Humphrey Davenport*, Knight, Chief Baron of Our Court of Exchequer, and to the rest of the Judges of Our Courts of Kings Bench, Common Pleas, and the Barons of Our Court of Exchequer.

CHARLES R.

TRusty and Wel-beloved, We greet you well. Taking into Our Princely consideration, that the Honor and Safety of this Our Realm of *England*, the preservation whereof is onely entrusted to Our care, was and is more nearly concerned in late then former times, as well by divers counsels and attempts to take from Us the Dominion of the Seas, of which We are sole Lord and rightfull Owner, or Proprietor, and the loss whereof would be of greatest danger and perill to this Kingdom, and other Our Dominions, as many other waies; We, for the avoiding of these and the like dangers, well weighing with Our self, that where the good and safety of the Kingdom in generall is concerned, and the whole Kingdom in danger, there the charge and defence ought to be born by all the Realm in generall, did, for the preventing so publick a mischief, resolve with Our self to have a Royall Navy prepared, that might be of force and power (with Almighty God's blessing and assistance) to protect and defend this Our Realm and Our Subjects therein from all such perills and dangers: and for that purpose We issued forth Writts under Our Great Seal of *England*, directed to all Our Sheriffs of Our severall Counties of *England* and *Wales*, commanding thereby all Our said Subjects in every City, Town and Village, to provide such a number of Ships, well furnisht, as might serve for this Royall purpose, and which might be done with the greatest equality that could be. In performance whereof, though generally throughout all the Counties of this Our Realm We have found in Our Subjects great chearfulness

ness and alacrity, which We graciously interpret as a testimony as well of their dutifull affection to Us and Our service, as of the respect they have to the Publick, which well becometh every good Subject: nevertheless finding that some few, haply out of ignorance what the Laws and Customes of this Realm are, or out of a desire to be eased in their particulars, how generall soever the charge be or ought to be, have not yet paid and contributed to the severall Rates and Assessments that were set upon them; and foreseeing in Our Princely Wisdom, that from thence divers Suits and Actions are not unlikely to be commenced and prosecuted in Our severall Courts at *Westminster*; We, desirous to avoid such inconveniences, and out of Our Princely love and affection to all Our People, being willing to prevent such errors as any of Our loving Subjects may happen to run into, have thought fit, in a case of this nature, to advise with you Our Judges, who We doubt not are well studied and informed in the Rights of Our Sovereignty: And because the Trialls in Our severall Courts by the formalities in pleading will require a long protraction, We have thought fit by this Letter directed to you all, to require your Judgement in the Case, as it is set down in the inclosed Paper; which will not onely gain time, but also be of more authority to over-rule any prejudicate opinions of others in the point.

Given under Our Signet at Our Court of White-Hall, the second day of February, in the twelfth year of Our Reign, 1636.

C. R.

CHARLES R.

WHen the good and safety of the Kingdom in generall is concerned, and the whole Kingdom in danger, whether may not the King, by Writt under the Great Seal of *England*, command all the Subjects in His Kingdome at their charge to provide and furnish such number of Ships with Men, Victualls and Munition, and for such time as He shall think fit, for the defence and safeguard of the Kingdom from such danger and peril; and by Law compell the doing thereof, in case of refusall or refractori-

fractoredness: And whether in such case is not the King the sole judge both of the Danger, and when and how the same is to be prevented and avoided.

The Answer of the Judges.

MAY it please Your most Excellent Majesty, We have, according to Your Majesties command, severally and every man by himself, and all of us together, taken into serious consideration the Case and Questions signed by Your Majestie, and inclosed in Your Letter: And We are of opinion, That when the good and safety of the Kingdom in generall is concerned, and the whole Kingdom in danger, Your Majestie may, by Writ under Your Great Seal of England, command all the Subjects of this Your Kingdom, at their charge to provide and furnish such number of Ships with Men, Victual, Munition, and for such time as Your Majestie shall think fit, for the defence and safeguard of the Kingdom from such perill and danger: And that by Law Your Majestie may compell the doing thereof in case of refusall or refractoredness. And we are also of opinion, that in such case Your Majestie is the sole judge both of the Danger, and when and how the same is to be prevented and avoided.

John Bramston.

John Finch.

Humphrey Davenport.

John Denham.

Richard Hutton.

William Jones.

George Crook.

Thomas Trevor.

George Vernon.

Robert Barkly.

Francis Crauley.

Richard Weston.

His

*His MAJESTIES Declaration to all His loving Subjects
of the Causes which moved Him to dissolve His Fourth
Parliament.*

TH E King's most Excellent Majestie well knoweth that the Calling, Adjourning, Proroguing and Dissolving of Parliaments, are undoubted Prerogatives inseparably annexed to His Imperiall Crown, of which He is not bound to render any account but to God alone, no more then of His other Regall actions.

Nevertheless His Majestie, whose Piety and Goodness have made Him ever so order and govern all things, that the clearness and candor of His Royall heart may appear to all His Subjects, especially in those great and publick matters of State that have relation to the weal and safety of His People, and the Honour of His Royall Person and Government, hath thought fit, for avoiding and preventing all sinister constructions and misinterpretations, which the Malice of some persons ill-affected to His Crown and Sovereignty hath or may practise to infuse into the minds and ears of His good and faithfull Subjects, to set down by way of Declaration the true Causes as well of His Assembling, as of His Dissolving the late Parliament.

IT is not unknown to most of His Majesties loving Subjects, what discouragements He hath formerly had by the undutifull and seditious carriage of divers of the lower House in preceding Assemblies of Parliament, enough to have made Him averse to those ancient and accustomed ways of calling His People together, when in stead of dutifull expressions towards His Person and Government, they vented their own Malice and disaffections to the State, and by their subtle and malignant courses endeavoured nothing more then to bring into contempt and disorder all Government and Magistracy.

Yet His Majestie well considering that but few were guilty of that seditious and undutifull behaviour, and hoping that time and experience had made His loving Subjects sensible of the distemper the whole Kingdom was in danger to be put into by the ill-govern'd actions of those men, and His Majesty being ever desirous to tread in the steps of His most noble Progenitors, was pleased to issue forth
His

His Writs under the great Seal of *England*, for a Parliament to be holden on the thirteenth day of *April* last.

At which day His Majesty by the Lord Keeper of His great Seal was graciously pleased to let both Houses of Parliament know, how desirous He was that all His people would unite their hearts and affections in the execution of those Counsells that might tend to the Honour of His Majestie, the Safety of His Kingdoms, and the good and preservation of all His people; and withall how confident He was that they would not be failing in their duties and affections to Him and to the publick.

He laid open to them the manifest and apparent mischiefs threatened to this and all His other Kingdoms by the mutinous and rebellious behaviour of divers of the *Scotish* nation, who had by their examples drawn many of His Subjects there into a course of disloyaltie and disobedience, not fit for His Majestie in Honour, Safety, or Wisdome to endure.

How, to strengthen themselves in their disloyall courses, they had addrest themselves to forein States, and treated with them to deliver themselves up to their protection and defence, as was made apparent under the proper hands of the prime Ring-leaders of that Rebellious Faction.

These courses of theirs, tending so much to the ruine and overthrow of this famous Monarchy, united by the descent of the Crown of *England* upon His Majestie and His Father of blessed memory, His Majestie (in His great Wisdom, and in discharge of the trust reposed in Him by God, and by the fundamentall Laws of both Kingdoms, for the protection and government of them.) resolved to suppress, and thereby to vindicate that Sovereign power entrusted to Him. He had by the last Summers triall found that His Grace and Goodness was abused, and that, contrary to His expectation and their faithfull promises, they had, since His being at *Barwick* and the Pacification there made, pursued their former rebellious designs; and therefore it was necessary now for His Majestie by power to reduce them to the just & modest condition of their Obedience and subjection, which whenever they should be brought unto, or seeing their own Errours should put themselves into a way of Humility and Obedience becoming them, His Majestie should need no other Mediatours

diatours for Clemency and Mercy to them then His own Piety and Goodness, and the tender affection He hath ever born to that His native Kingdom.

This being of so great weight and consequence to the whole Kingdom, and the charge of an Army, fit to master such a business, amounting to so great a summe as His Majestie had no means to raise, having not only emptied His own coffers, but issued between three and four hundred thousand pounds, which He borrowed of His servants upon security out of His own estate, to provide such things as were necessary to begin such an action with; His Majestie, after the example of His Predecessors, resorted to His People in their representative Body the Parliament, whom He desired (with all the expressions of Grace and Goodness which could possibly come from Him) that taking into serious and dutifull consideration the nature of these bleeding evils, and how dangerous it was to lose the least minute of time, lest thereby those of *Scotland* should gain opportunity to frame their parties with forein States, that they would for a while lay aside all other debates, and pass an Act for the speedie payment of so many Subsidies as might enable His Majestie to put in readiness for this Summer those things which were to be prepared before so great an Army could be brought into the field.

For further supply necessary for so great an undertaking, His Majestie declared that He expected it not till there might be a happy conclusion of that Session, and till their just Grievances might be first graciously heard and relieved.

Wherein as His Majestie would most willingly have given them the precedence before matter of Supply, if the great necessity of His occasions could have permitted; so He was graciously pleased, for their full assurance and satisfaction therein, to give them His Royall word, That without determining the Session upon granting of the Subsidies, He would give them before they parted as much time as the season of the year and the great affairs in hand would permit, for considering all such Petitions as they should conceive to be good for the Commonwealth; and what they could not now finish, they should have full time to perfect towards Winter: His Majestie graciously assuring them, that He would goe along with them for their advantage through all the expressions of a gracious and pious King,

to the end there might be such a happy conclusion of that as might be the cause of many more meetings with them in Parliament.

From their first assembling untill the 21 of *April*, the House of Commons did nothing that could give His Majestie any content or confidence in their speedie supplying of Him : whereupon He commanded both the Houses to attend Him in the Banquetting-House at *White-Hall* in the afternoon of that 21. day of *April*. Where by the Lord Keeper His Majestie put them in mind of the end for which they were assembled, which was for His Majesties Supply ; that if it were not speedie, it would be of no use unto Him, part of the Army then marching at the charge of above a hundred thousand pounds a month, which would all be lost if His Majestie were not presently supplied, so as it was not possible to belonger forborn. Yet His Majestie then exprest, that the Supply He for the present desired was onely to enable Him to goe on with His designs for three or four months, and that He expected no further Supply till all their just Grievances were relieved.

And because His Majestie had taken notice of some misapprehensions about the levying of the Shipping-money, His Majestie commanded the Lord Keeper to let them know, That He never had any intention to make any Revenue of it, nor had ever made any ; but that all the money collected had been paid to the Treasurer of the Navie, and by Him expended, besides great sums of money every year out of His Majesties own purse.

That His Majestie had once resolved this year to have levied none ; but that He was forced to alter His resolution, in regard He was of necessity to send an Army for reducing those of *Scotland*, during which time it was requisite the Seas should be well guarded : And besides, His Majestie had knowledge of the great Fleets prepared by all neighbouring Princes this year, and of the insolencies committed by those of *Algiers*, with the store of Ships which they had in readines.

And therefore though His Majestie for this present year could not forbear it, but expected their concurrence in the levying of it ; yet for the future to give all His Subjects assurance how just and Royall His intentions were, and that all His aime was but to live like their King, able to defend Himself and them, to be usefull to His friends
and

and considerable to His enemies, to maintain the Sovereignty of the Seas, and so make the Kingdom flourish in trade and commerce, He was graciously pleased to let them know that the ordinary Revenue now taken by the Crown could not serve the turn, and therefore that it must be by Shipping-money or some other way, wherein He was willing to leave it to their considerations what better course to find out, and to settle it how they would, so the thing were done, which so much imported the honour and safety of the Kingdom; and His Majesty for His part would most readily and cheerfully grant any thing they could desire for securing them in the propriety of their Goods and Estates, and in the Liberty of their Persons.

His Majesty telling them it was in their power to make this as happy a Parliament as ever was, and to be the cause of the Kings delighting to meet with His people, and His people with Him.

That there was no such way to effect this as by putting obligations of trust and confidence upon Him: which as it was the way of good manners with a King, so it was a surer and safer course for themselves than any that their own jealousies and fears could invent; His Majesty being a Prince that deserved their trust, and would not lose the honour of it, and a Prince of such a gracious nature that disdained His People should overcome Him by kindness.

He had made this good to some other Subjects of His; and if they followed His counsell, they should be sure not to repent it, being the people that were nearest and dearest to him, and Subjects whom He did and had reason to value more than the Subjects of any His other Kingdoms.

His Majesty having thus graciously expressed Himself unto them, He expected the House of Commons would have the next day taken into consideration the matter of Supply, and laid aside all other debates till that were resolved of according to His desire.

But in stead of giving an Answer therein, such as the pressing and urgent occasions required, they fell into discourses and debates about their pretended Grievances, and raised up so many, and of so severall natures, that in a Parliamentary way they could not but spend more time than His Majesties great & weighty Affairs could possibly afford.

His Majesty foreseeing in His great Wisdom that they were not in the way to make this an happy Parliament, which He so much de-

fired and hoped; that nothing might be wanting on His part to bring them into the right way for His Honour, the safety of the Kingdom, and their own good, He resolved to desire the assistance of the Lords of the higher House, as persons in rank and degree nearest to the Royall Throne, and who having received Honour from Him and His Royall Progenitors, He doubted not would for those and many other reasons be moved in honour and dutifull affection to His Person and Crown, to dispose the House of Commons to express their duties to His Majestie, in expediting the matter of Supply, for which they were called together, and which required so present a dispatch.

For this purpose, His Majestie in His Royall Person came again to the Lords House on Wednesday the 24. day of *April*, where Himself declared to the Lords the cause of His coming, which was, to put them in minde of what had been by the Lord Keeper in His name delivered unto both Houses the first day of the Parliament, and after at *White-Hall*; how contrary to His expectation the House of Commons, having held consultation of matter of Religion, Property of Goods, and Liberty of Parliament, and voted some things concerning those three heads, had thereby given them the precedence before the matter of His Supply; that His necessities were such they could not bear delay; that whatever He had by the Lord Keeper promised He would perform, if the House of Commons would trust Him. For Religion, that His Heart and Conscience went together with the Religion established in the Church of *England*, and He would give order to His Archbishops and Bishops, that no Innovation in matter of Religion should creep in. For the Ship-money, that He never made or intended to make any profit to Himself of it, but only to preserve the Dominion of the Seas, which was so necessary, that without it the Kingdom could not subsist; but for the way and means, by Ship-money or otherwise, He left it to them. For Property of Goods and Liberty of Parliament, He ever intended His People should enjoy them, holding no King so great as he that was King of a rich and free people; and if they had not Property of Goods and Liberty of Persons, they could be neither rich nor free. That if the House of Commons would not first trust Him, all His affairs would be disordered, and His business lost. That though they trusted Him

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in part at first, yet before the Parliament ended He must totally trust them, and in conclusion they must for execution of all things wholly trust Him. Therefore since the matter was no more then who should be first trusted, and that the trust of Him first was but a trust in part, His Majestie desired the Lords to take into their considerations His and their own Honour, the Safety and welfare of this Kingdom, with the great danger it was in, and that they would by their advice dispose the House of Commons to give His Supply the precedence before the Grievances.

His Majestie being departed, the Lords took into serious consideration what His Majestie had commended to their care; and forthwith laying aside all other debates (such was their Lordships dutifull and affectionate carriage) they remembring well what had been formerly declared in His Majesties name to both Houses, His Majesties gracious promises and expressions then and at this time, with the pressing and urgent occasions which so much imported the Honour of His Majestie and the good of this Kingdom, their Lordships delivered their votes in these words, *We are of opinion that the matter of His Majesties Supply should have precedence, and be resolved of before any other matter whatsoever; and we think fit there shall be a Conference desired with the House of Commons to dispose them thereunto.*

Accordingly the next day, being Saturday the 25. day of April, a Conference was had in the Painted Chamber by a Committee of both Houses, where the Lord Keeper, by the Lords command, told the House of Commons of His Majesties being the day before in person in the higher House, how graciously He had expressed Himself in matter of Religion, Propertie of Goods, and Liberty of Parliament, and that He would therein graciously hear and relieve them, and give them what in reason could be desired, with the effect of what else had been graciously delivered unto them by His Majesty, as well touching His constant Zeal and affection to the Religion established in the Church of England, as touching the Ship-money, and the necessity of His affairs, which was such, that delay was as prejudiciall as deniall, and that if time were lost, both Houses could not recover it: and therefore their Lordships, though they would move nothing, nor give any advice concerning Subsidies, but decline it, as that which naturally was to begin with the House of Commons; yet being alike in-

teressed and concerned in the Honour and Safety of the Kingdom, they held it fit to let them know their opinions and desires, which was, That they should go first on with the matter of His Majesties Supply, as that which was most necessary and fit to have precedence; and that being done, they would chearfully joyn with them in the presenting of their Grievances.

The House of Commons having heard their Lordships opinion and desire, in stead of concurring with their Lordships in preferring the consideration of His Majesties Supply before their Grievances, they spent the whole day on Monday following, being the 27. of *April*, in taking causeless exceptions to what had been at the Conference related to them: and the next day, being Tuesday the 28. of *April*, they desired a Conference with the Lords: and their Lordships meeting them presently in the Painted Chamber, they were so far from their expressing of any willingness to joyn with their Lordships in what had been upon so weighty reasons recommended unto them, that on the contrary they challenged the Lords for invading the Privileges of the House of Commons; alledging, That the Lords having in the former Conference acknowledged that the matter of Subsidie and Supply ought to begin in the House of Commons, had in their voting that it was fit and most necessary that matter of Supply should have precedence before all other business, not only been transported beyond the bounds which their Lordships had formerly set to themselves, but by meddling with matter of Supply had, as far as in them lay, concluded both the matter and order of proceeding, which the House of Commons took to be a breach of their Privilege, and for it desired reparation of their Lordships.

And because the Lords had in the first Conference enumerated those three particulars, of Religion, Propriety of Goods, and Privilege of Parliament, the House of Commons collected they had taken notice of some proceedings in their House concerning those particulars, and thereby broken another great Privilege of the House of Commons established in Parliament, and called the Indempnity of the Commons.

This, how strange and unexpected soever, the Lords heard with patience; and being desirous to remove all impediments, and clear any mistakings that might retard or avert the resolutions of supplying
His

His Majestie, they seriously debated in the higher House what had been objected by the House of Commons, and resolved, first, *That their Lordships former voting, That in their opinions His Majesties Supply should have precedence before all other matters, was no breach of the Privileges of the House of Commons*; and secondly, *That it was no breach of the Privileges of the House of Commons for their Lordships to hear what His Majestie declared to them, and thereupon to report the same to the House of Commons.*

And to the end the House of Commons might have a right understanding of their Lordships proceedings, their Lordships desired another Conference with them, which was accordingly had on Friday the first of May in the Painted Chamber; where, by the command of the Lords, the Lord Keeper declared to the House of Commons, That the Lords of the higher House had, as in duty and affection to His Majesties Crown and Government they were bound, taken into serious consideration the great and weighty motives of His Majesties calling this Parliament, the great evils and calamities that hung over their heads, and the apparent danger the Kingdom was like to run into, if by speedy and fitting supply His Majestie were not enabled to prevent it; how insupportable delay and protraction was, and how impossible for both Houses to recover the loss of time in a matter of so pressing and urgent necessity; that His Majestie had both in the higher House and in the Banqueting-house at *White-Hall*, expressed His gracious and Princely desire to doe all that from a just and gracious King might be expected, whereby this Parliament might have a happie conclusion; how His Majestie had promised all their just Grievances should be graciously heard and relieved, that their Lordships were witnesses His Majestie had given His Royall word herein, which their Lordships for their parts did as much trust and confide in as ever Subjects did.

It was also then further declared unto them, That His Majestie had lately honoured their House with His presence again, and had there renewed the remembrance of what had before been delivered to both Houses, with the impossibilitie of admitting delay, and the clearness of His Majesties intentions and resolutions, to give all just satisfaction to what with reason could be desired of Him.

That His Majestie had taken notice of somewhat voted in the House of Commons concerning Religion, Propriety of Goods, and

Liberty of Parliament, by which His Majesty conceived the matter of His Supply set aside, which He had so often and with such weight of reason desired might have precedence.

That His Majesty after very gracious assurances of His constant affection and zeal for true Religion, and for preventing all Innovations therein, reiterating His often promises for relieving all their just Grievances, with His Royal intentions in that particular of Ship-money which he found much stood upon, was pleased to desire their Lordships (as persons in rank and degree nearest Him, in Honour as much or more concern'd then others, and in the safety and prosperity of the Kingdome at least equally interessed with others) that in a case of this great and important weight, their Lordships would by their counsel and perswasion encline the House of Commons to give His Majesty a speedy answer and resolution in the matter of Supply. That their Lordships had taken His Majesties desire into serious and dutiful consideration, and upon great and solemn debate had only voted in these words, *We are of opinion that the matter of His Majesties Supply should have precedence, and be resolved of before any other matter whatsoever ; and that they did think fit there should be a Conference desired with the House of Commons to dispose them thereunto : which as it was just and honourable for their Lordships to doe, so it was no breach of any Privilege of the House of Commons.*

For though their Lordships did admit, that the Bill of Subsidies ought to begin in the House of Commons, and when it is agreed unto by the Lords, must be returned back, and be by their Speaker presented, and therefore their Lordships disclaimed to meddle with Subsidy or Supply by such beginning in the higher House, or by naming the number of Subsidies, times of payment, or any such circumstances incident to a Bill : yet their Lordships might confer and talk about Supplies in general, and give their advice therein, that being no whit derogatory to the Privileges of the House of Commons, their Lordships in all reason being likelier to communicate in the Counsels and secrets of State, as those that were nearer to the Royal Throne, and having just cause therein to impart their fears and foresight of dangers to the House of Commons.

That such proceedings of their Lordships, as they were grounded upon just and weighty reason, so they were agreeable to ancient
usage

usage and custome, and were fully justified by that establishment in Parliament mentioned by the House of Commons at the last Conference, being made at *Gloucester* in the 9. year of *Henry* the Fourth, and styled, not The Indempnity of the Commons (as had been said) but The Indempnity of Lords and Commons.

And for the other breach of Privilege which had been objected, their Lordships declared, That His Majesty had told them the House of Commons had resolved something concerning those three heads, of Religion, Propriety of Goods, and Privilege of Parliament.

How His Majesty knew of this resolution, belonged not to their Lordships to enquire into, their Lordships not meddling with any thing that others said to the King, but what the King said to them.

And that their Lordships were so far from holding it any violation of the Privileges of the House of Commons for their Lordships to hear what the King declared to them, and for them thereupon to report the same to the House of Commons, that on the contrary in duty to His Majesty their Lordships could doe no other; and the communicating of it was an argument of affection and desire of good correspondence with the House of Commons, and merited no such misconstruction as had been made of it: neither did that establishment in Parliament 9 H. 4. contain any words that could be construed to make their Lordships proceedings in this behalf any breach of the Privileges of the House of Commons.

Their Lordships proceedings and intentions being thus cleared, the Lord Keeper by their Lordships command added further, That their Lordships could not but return to their first grounds and resolutions, which were in all fair and affectionate manner to stir up in those of the House of Commons the just consideration of those great and imminent Dangers that threatned the Kingdome at this time, and how dangerous and irrecoverable delay was, and withall to dispose them to take into their first and best thoughts the matter of His Majesties Supply, and give Him a speedy answer therein.

Which their Lordships were confident would be the means to make this a happy Parliament, and to avert the publick Calamities that menaced the ruine and overthrow of this famous Monarchie.

This having been delivered at that Conference in their Lordships names, was by His Majesty most gratiouly interpreted as the noble testimony

testimony of their Lordships affections to His Person and Government; for which His Majestie by the Lord Keeper the next day gave their Lordships hearty thanks.

And withall, that nothing on His part might be left undone, His Majestie that morning also, being Saturday the second of May, sent a Message to the House of Commons, which was delivered to them in these words;

That His Majesty hath divers times and by sundry waies acquainted this House with the urgent necessity of Supply, and with the great danger inevitably to fall upon the whole State, upon His own Honour, and the honour of this Nation, if more time shall be lost therein. That nevertheless His Majesty hitherto hath received no answer at all. And therefore considering that as heretofore His Majesty hath told this House, that a delay of His Supply is as destructive as a denial, His Majesty doth again desire them to give Him a present answer concerning His Supply, His Majesty being still resolved on His part to make good whatsoever He hath promised by Himself or the Lord Keeper.

After which Message delivered unto them, they spent from nine in the morning till six a clock at night in many discourses and debates touching their pretended Grievances, but never came to any resolution what Supply they would give His Majesty, or whether they would give Him any at all, but adjourned the farther debate till Monday following.

At which time, because His Majesty had understood the matter of Shipping-money was that which was most insisted upon, and that the taking away of that not only for the present but for the future would be pleasing and acceptable unto them, His Majesty sent another Message unto them, which was before they entred into any debate delivered unto them in these words;

Whereas upon Saturday last His Majesty was pleased to send a Message to this House, desiring you to give a present answer concerning His Supply, to which as yet His Majesty hath had no other answer, but that upon this day you will take it into further consideration; therefore His Majesty, the better to facilitate your resolutions this day, hath thought fit to let you know, That of His grace and favour He is pleased, upon your granting of twelve Subsidies to be presently passed, and to be paid in three years, with a Proviso that it shall not determine the Session, His Majesty will not only for the present forbear the levying of any Shipping-money, but will give way to the utter abolishing of it by any course that
your

your selves shall like best. And for your Grievances, His Majesty will, according to His Royal Promise, give you as much time as may be now, and the rest at Michaelmas next. And His Majesty expects a present and positive answer upon which He may rely, His affairs being in such condition as can endure no longer delay.

Notwithstanding this gracious Message, and all other His Majesties former Desires and Promises, and the Lords earnest perswasions, the House of Commons spent eight or nine houres more in debating the matter of Supply, without coming to any resolution at all; and so mixed the consideration of that with other matters impertinent, and trenching highly to the diminution of His Majesties Royal Prerogative, that His Majesty plainly discerned they went about to weary and tire Him with delaies: And though in words some did not deny to supply Him, yet in that also most moved to clog the Bill of Subsidies in such sort, that His Majesty could not have accepted it without great prejudice to His Prerogative; and they were so far from declaring what they would doe, that they entertained themselves with discourses tending to render odious to His people that gracious Government of His, under which all His People have during His happy Reign lived in such Peace and Felicity, when all the neighbouring Kingdoms and States were in Troubles and Combustions.

His Majesty was hereupon enforced by the advice of His Privy Councel to resolve to break up and dissolve the Parliament, from which He could hope for no other fruit then the hindring of His great Affairs, and disordering His happy Government.

And therefore on Tuesday the fifth of May His Majesty came again in person to the Lords House, and sending for the Speaker and the House of Commons, when they were come up, said thus;

MY LORDS,

THere can no occasion of My coming to this House be so unpleasing to Me as this is at this time. The fear of doing that which I am to doe this day made Me not long agoe come to this House, where I expressed as well My Fears, as the Remedies I thought necessary for the eschewing of it: Unto which I must confesse and acknowledge that you (My Lords of the Higher House) did give Me so willing an eare, and with such affection did shew your selves thereafter, that
certainly,

certainly, I may say, if there had been any means to have given an happy end to this Parliament, you took it ; so that it was neither your Lordships fault, nor Mine, that it is not so. Therefore in the first place, I must give your Lordships thanks for your good Endeavours.

I hope you remember what My Lord Keeper said to you the first day of the Parliament in My Name ; what likewise he said in the Banqueting-House in White-Hall, and what I lately said to you in this place My self. I name all this unto you, not in doubt that you do not well remember it, but to shew you, that I never said any thing in way of favour to My people, but that by the grace of God I will punctually and really perform it.

I know that they have insisted very much on Grievances, and I will not say but that there may be some, (though I will confidently affirm, that there are not by many degrees so many as the publick voice doth make them.) Wherefore I desire you to take notice, now especially at this time, that out of Parliament I shall be as ready (if not more willing) to hear and redress any just Grievances, as in Parliament. There is one thing that is much spoken of, though not so much insisted on as others, and that is Religion ; concerning which, albeit I expressed My self fully the last day in this place to your Lordships, yet I think it fit again, on this occasion, to tell you, that (as I am most concerned, so) I shall be most carefull to preserve that purity of Religion which, I thank God, is so well established in the Church of England, and that as well out of as in Parliament.

My Lords, I shall not trouble you long with words, it being not My fashion : wherefore to conclude, what I offered the last day to the House of Commons, I think is well known to you all, as likewise how they accepted it ; which I desire not to remember, but wish that they had remembred how at first they were told in My Name by my Lord Keeper, That delay was the worst kind of denial. Yet I will not lay this fault on the whole House (for I will not judge so uncharitably of those whom, for the most part, I take to be Loyall and well-affected Subjects) but that it hath been the malicious cunning of some few seditiously-affected men that hath been the cause of this Misunderstanding.

I shall now end as I began, in giving your Lordships thanks for your affection shewn to Me at this time ; desiring you to goe on to assist me in the maintaining of that Regal power that is truly Mine : and as for the Liberty of the People, that they now so much seem to startle at, know, (My Lords) that no King in the world shall be more careful to maintain them in the Property of their Goods, Liberty of their Persons, and true Religion, then I shall be.

And now, My Lord Keeper, doe what I have commanded you.

Then

Then the Lord Keeper added,

My Lords, and you Gentlemen of the House of Commons, The Kings Majesty doth dissolve this Parliament.

BY all the proceedings herein declared, it is evident to all men how willing and desirous His Majesty hath been to make use of the ancient and noble way of Parliament, used and instituted by His Royal Predecessours, for the preservation and honour of this famous Monarchy; and that on His Majesties part nothing was wanting that could be expected from a King, whereby this Parliament might have had an happy conclusion, for the comfort and content of all His Majesties Subjects, and for the good and safety of this Kingdome. On the contrary, it is apparent how those of the House of Commons (whose sinister and malicious courses inforced His Majesty to dissolve this Parliament) have vitiated and abused that ancient and noble way of Parliament, perverting the same to their own unworthy ends, and forgetting the true use and institution of Parliaments. For whereas these meetings and assemblies of His Majesty with the Peeres and Commons of this Realm were in their first original, and in the practice of all succeeding ages, ordained and held as pledges and testimonies of Affection between the King and His People, the King for His part graciously hearing and redressing such Grievances as His People in humble and dutiful manner should represent unto Him, and the Subjects on their part, as Testimonies of their Duty, supplying His Majesty upon all extraordinary occasions, for the support of His Honour and Sovereignty, and for preserving the Kingdome in glory and safety; those ill-affected Members of the House of Commons, in stead of an humble and dutiful way of presenting their Grievances to His Majesty, have taken upon them to be the Guiders and Directors in all matters that concern His Majesties Government, both Temporal and Ecclesiastical, and (as if Kings were bound to give an account of their Regal Actions and of their manner of Government to their Subjects assembled in Parliament) they have in a very audacious and insolent way entred into examination and censuring of the present Government, traduced His Majesties administration of Justice, rendred (as much as in them lay)

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odious

odious to the rest of His Majesties Subjects not only the Officers and Ministers of State, but even His Majesties very Government; which hath been so just and gracious, that never did this or any other Nation enjoy more Blessings and Happiness then hath been by all His Majesties Subjects enjoyed ever since His Majesties access to the Crown, nor did this Kingdome ever so flourish in Trade and Commerce as at this present, or partake of more Peace and Plenty in all kinds whatsoever.

And whereas the ordinary Revenues of the Crown not sufficing to defray extraordinary charges, it hath ever been the usage in all Parliaments to aid and assist the Kings of this Realm with free and fitting supply towards the maintenance of their Wars, and for making good their Royal undertakings, whereby the Kingdome intrusted to their protection might be held up in splendor and greatness; those ill-affected persons of the House of Commons have been so far from treading in the steps of their Ancestours by their dutiful expressions in this kind, that contrarily they have introduced a way of bargaining and contracting with the King, as if nothing ought to be given Him by them but what He should buy and purchase of them, either by quitting somewhat of His Royal Prerogative, or by diminishing and lessening His Revenues. Which courses of theirs how repugnant they are to the duty of Subjects, how unfit for His Majesty in Honour to permit and suffer, and what hazard and dishonour they subject this Kingdome to, all men may easily judge that will but equally and impartially weigh them.

His Majesty hath been by this means reduced to such streights and extremities, that were not His care of the Publick good and safety the greater, these men (as much as in them lies) would quickly bring ruine and confusion to the State, and render contemptible this glorious Monarchy.

But this frowardness and undutiful behaviour of theirs cannot lessen His Majesties care of preserving the Kingdoms intrusted to His Protection and Government, nor His gracious and tender affection to His people; for whose good and comfort His Majesty by God's gracious assistance will so provide, that all his loving Subjects may still enjoy the happiness of living under the blessed shade and protection of His Royal Scepter.

In the mean time, to the end all His Majesties loving Subjects may know how graciously His Majesty is enclined to hear and redress all the just Grievances of His People, as well out of Parliament as in Parliament, His Majesty doth hereby further declare His Royall will and pleasure, that all His loving Subjects, who have any just cause to present or complain of any Grievances or Oppressions, may freely address themselves by their humble Petitions to His Sacred Majesty, who will graciously hear their complaints, and give such fitting redress therein, that all His people shall have just cause to acknowledge His Grace and Goodness towards them, and to be fully satisfied, that no persons or assemblies can more prevail with His Majestie then the Piety and Justice of His own Royall nature, and the tender affection He doth and shall ever bear to all His people and loving Subjects.

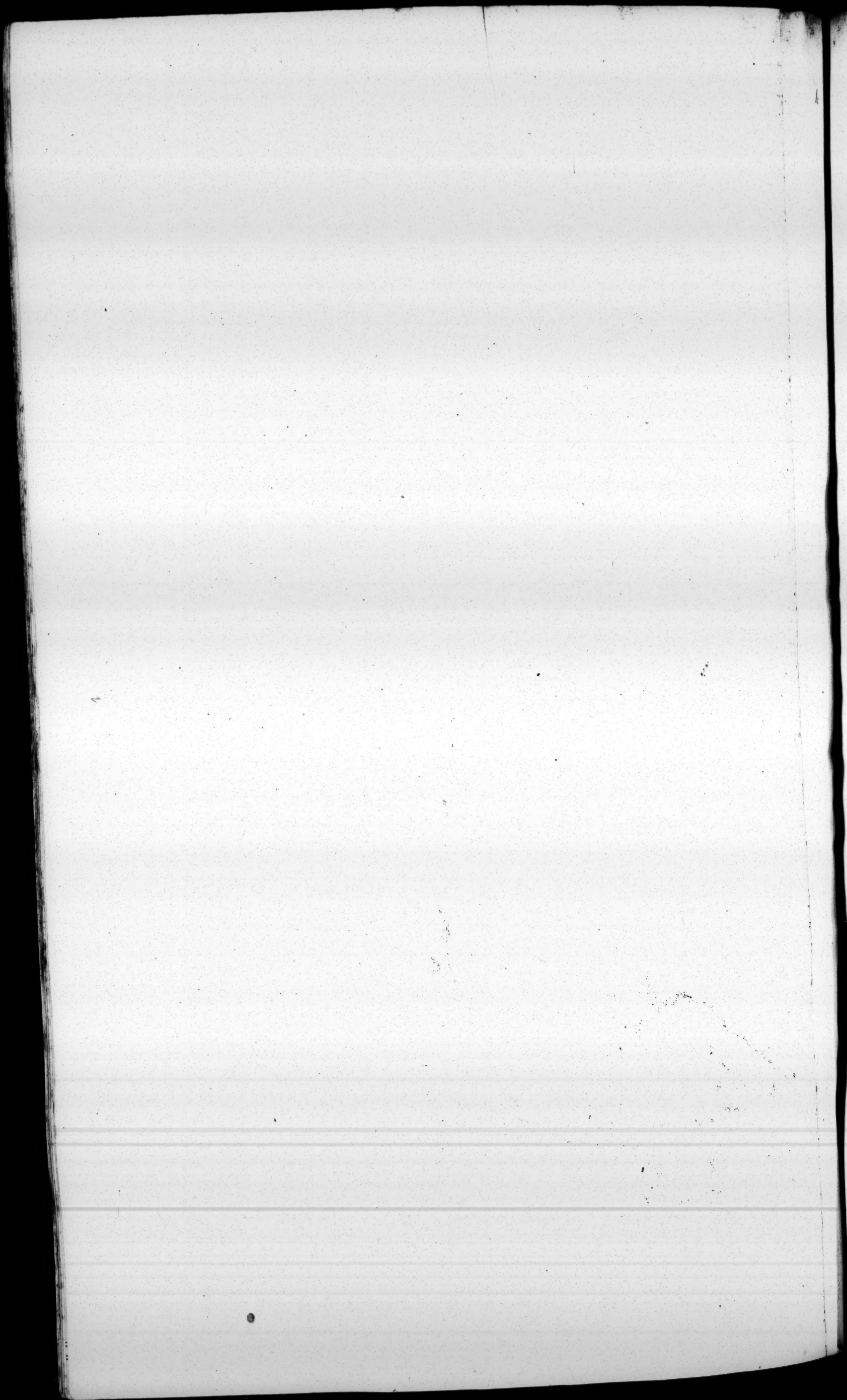


And the Bramble sayd unto the Trees If in truth ye anoint me King over you, then come and put your trust
 in my shadow; and if not, let Fire come out of the Bramble, and devour the Cedars of Lebanon. Iudg. 9.v.15.
 The most high ruleth in the Kingdome of Men, and giueth it to Whome he will.



Imperium Flagitio acquisitum nemo unquam bonis Artibus exercuit. Tacit. Hist. lib. 1.
 (i.e.) No man ever used that Power lustily which unjustly he did Usurp. Place this Vol 2 betwixt p. 51 and 54.
 and setteth up over it the Baesest of men Dan. 4. v. 17.

*Pl. Fungus delin.
 Jac. Neffs sculp.*



DECLARATIONS

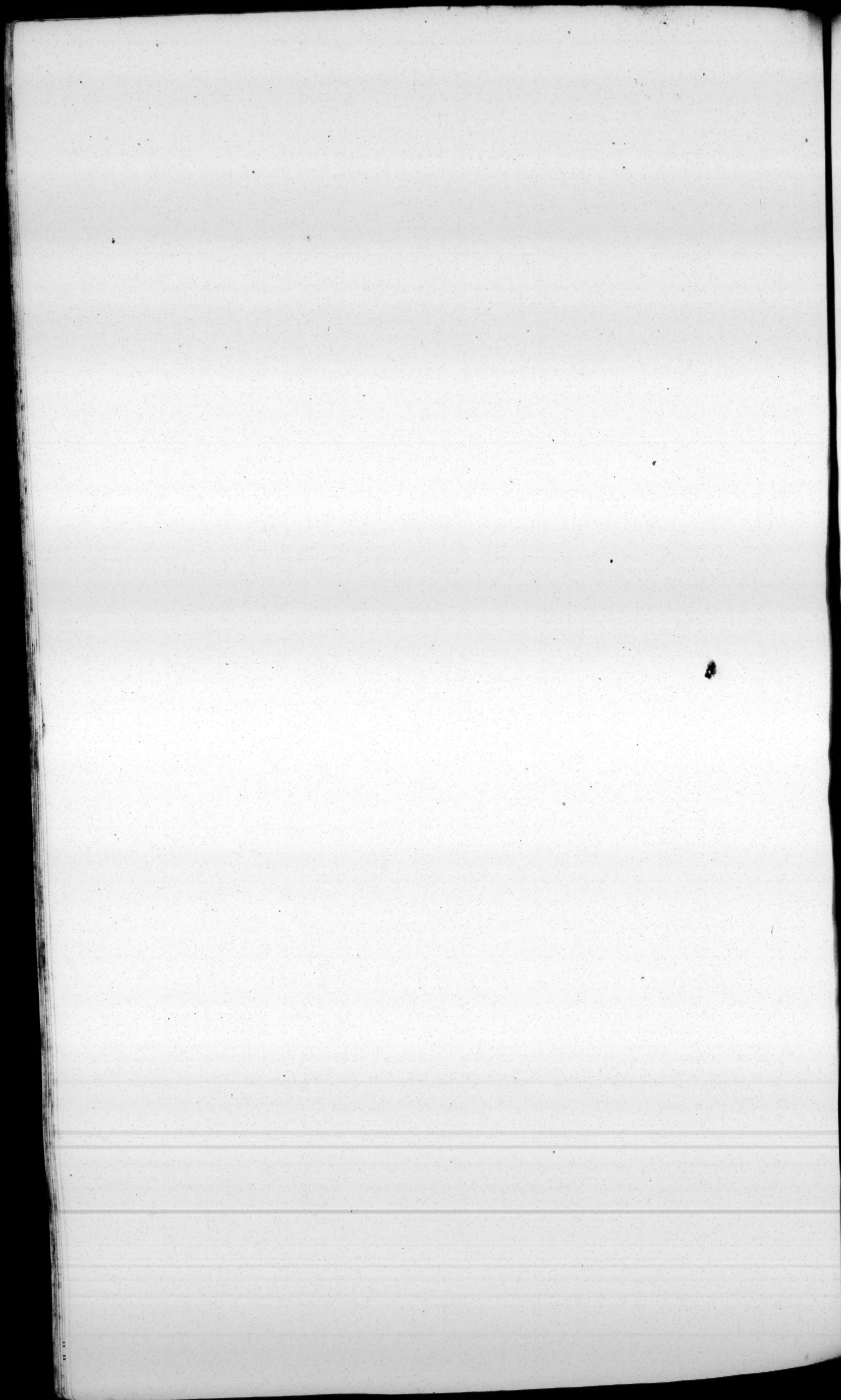
AND PAPERS

CONCERNING THE DIFFERENCES

BETWIXT HIS MAJESTIE

AND HIS

FIFTH PARLIAMENT.



The House of Commons PETITION, and Remonstrance
of the state of the Kingdome: with His Majesties Answers. MDCXLI
Decemb. 1.

The PETITION of the House of Commons
which accompanied the Declaration of the state
of the Kingdome, when it was presented to His
MAJESTY at Hampton-Court.

Most Gracious Sovereign,



OUR Majesties most humble and faithful Subjects, the Commoners in this present Parliament assembled, do with much thankfulness and joy acknowledge the great mercy and favour of God, in giving Your Majesty a safe and peaceable return out of *Scotland* into Your Kingdome of *England*, where the pressing Dangers and Distempers of the State have caused us with much earnestness to desire the comfort of Your gracious presence, and likewise the Unity and Justice of your Royal Authority to give more life and power to the dutiful and loyal Counsels and endeavours of Your Parliament, for the prevention of that imminent Ruine and Destruction wherein Your Kingdomes of *England* and *Scotland* are threatned. The duty which we owe to Your Majesty and our Country cannot but make us very sensible and apprehensive, that the multiplicity, sharpness and malignity of those evils under which we have now many years suffered, are fomented and cherished by a corrupt and ill-affected party, who amongst other their mischievous devices for the alteration of Religion and Government, have sought by many false scandals and imputations cunningly insinuated, and dispersed among the People, to blemish and disgrace our proceedings in this Parliament, and to get themselves a party and faction amongst Your Subjects, for the better strengthening of themselves in their wicked courses, and hindering those provisions and remedies which might by the Wisdom of Your Majesty and Counsel of Your Parliament be opposed against them.

For preventing whereof, and the better information of Your Majesty, Your Peeres, and all other Your loyal Subjects, we have been necessitated to make a Declaration of the state of the Kingdome, both before and since the Assembly of this Parliament unto this time; which we do humbly present to Your Majesty without the least intention to lay any blemish upon Your Royal Person, but only to represent how Your Royal Authority and trust have been abused, to the great prejudice and danger of Your Majesty and of all Your good Subjects.

And because we have reason to believe that those malignant parties, whose proceedings evidently appear to be mainly for the advantage and increase of Popery, are composed, set up, and acted by the subtle practice of the Jesuites and other Engineers and Factors for *Rome*, and to the great danger of this Kingdome and most grievous affliction of Your loyal Subjects have so far prevailed, as to corrupt divers of Your Bishops and others in prime places of the Church, and also to bring divers of these Instruments to be of Your Privy Council and other employments of trust and nearness about your Majesty, the Prince and the rest of Your Royal Children;

And by this means have had such an operation in Your Council, and the most important affairs and proceedings of Your Government, that a most dangerous division and chargeable preparation for Warre betwixt Your Kingdomes of *England* and *Scotland*, the increase of Jealousies betwixt Your Majesty and Your most obedi-

ent Subjects, the violent distraction and interruption of this Parliament, the Insurrection of the Papists in Your Kingdome of *Ireland*, and bloody massacre of Your People, have been not only endeavoured and attempted, but in a great measure compassed and effected:

For preventing the final accomplishment hereof, Your poor Subjects are enforced to engage their Persons and Estates to the maintaining of a very expenceful and dangerous Warre, notwithstanding they have already since the beginning of this Parliament undergone the charge of 150000. pounds sterling, or thereabouts, for the necessary support and supply of Your Majesty in these present and perillous Designs. And because all our most faithful endeavours and engagements will be ineffectual for the peace, safety and preservation of Your Majesty and Your People, if some present, real, and effectual course be not taken for suppressing this wicked and malignant party, We Your most humble and obedient Subjects do with all faithfulness and humility beseech Your Majesty,

1. That You will be graciously pleased to concurre with the humble desires of Your People in a Parliamentary way, for the preserving the peace and safety of the Kingdome from the malicious designs of the Popish party.

For depriving the Bishops of their Votes in Parliament, and abridging their immoderate power usurped over the Clergy and other Your good Subjects, which they have most perniciously abused to the hazard of Religion, and great prejudice and oppression of the Laws of the Kingdome, and just Liberty of Your People.

For the taking away such oppressions in Religion, Church-Government and Discipline, as have been brought in and fomented by them.

For uniting all such Your loyal Subjects together, as joyn in the same Fundamental Truths against the Papists, by removing some oppressions and unnecessary Ceremonies, by which divers weak Consciences have been scrupled, and seem to be divided from the rest.

For the due execution of those good Laws which have been made for securing the Liberty of Your Subjects.

2. That Your Majesty will likewise be pleased to remove from Your Counsel all such as persist to favour and promote any of those Pressures and Corruptions wherewith Your People have been grieved; and that for the future Your Majesty will vouchsafe to employ such persons in Your great and publick Affairs, and to take such to be near You in places of trust, as Your Parliament may have cause to confide in; that in Your Princely Goodness to Your People, You will reject and refuse all mediation and solicitation to the contrary, how powerful and near soever.

3. That You will be pleased to forbear to alienate any of the forfeited and escheated Lands in *Ireland* which shall accrue to Your Crown by reason of this Rebellion, that out of them the Crown may be the better supported, and some satisfaction made to Your Subjects of this Kingdome for the great expences they are like to undergoe this Warre.

Which humble desires of ours being graciously fulfilled by Your Majesty, we will, by the blessing and favour of God, most chearfully undergoe the hazard and expences of this Warre, and apply our selves to such other courses and counsels as may support Your Royal Estate with Honour and Plenty at home, with Power and Reputation abroad, and by our Loyal Affections, Obedience and Service, lay a sure and lasting foundation of the Greatness and Prosperity of Your Majesty, and Your Royal Posterity in future times.

A Remon-

A REMONSTRANCE of the State of the Kingdome.

THE Commons in this present Parliament assembled having with much earnestness, and faithfulness of affection, and zeal to the publick good of this Kingdom, and His Majesties Honour and Service, for the space of twelve moneths wraffled with the great Dangers and Fears, the pressing Miseries and Calamities, the various Distempers and Disorders which had not only assaulted, but even overwhelmed and extinguisht the Liberty, Peace and Prosperity of this Kingdom, the comfort and hopes of all His Majesties good Subjects, and exceedingly weakned and undermined the foundation and strength of His own Royall Throne; do yet finde an abounding malignity and opposition in those parties and factions who have been the cause of those evils, and do still labour to cast aspersions upon that which hath been done, and to raise many difficulties for the hinderance of that which remains yet undone, and to foment Jealousies betwixt the King and the Parliament, that so they may deprive Him and His people of the fruit of his own gracious intentions, and their humble desires of procuring the publick Peace, Safety, and Happiness of this Realm. For the preventing of those miserable effects which such malicious endeavours may produce, We have thought good to declare,

First, The Root and the growth of these mischievous Designes.

Secondly, The Maturity and ripeness to which they have attained before the beginning of the Parliament.

Thirdly, The effectual Means which have been used for the extirpation of those dangerous evils, and the Progress which hath therein been made by His Majesties Goodness and the wisdom of the Parliament.

Fourthly, The waies of Obstruction and opposition, by which that progress hath been interrupted.

Fifthly, The courses to be taken for the removing those Obstacles, and for the accomplishing of our most dutiful and faithful intentions and endeavours of restoring and establishing the ancient Honour, Greatness, and Security of this Crown and Nation.

The Root of all this mischief we find to be a malignant and pernicious design of subverting the Fundamental Laws and Principles of Government, upon which the Religion and Justice of this Kingdome are firmly establish'd.

The Actors and promoters hereof have been,

First, The Jesuited Papists, who hate the Laws as the obstacles of that Change and subversion of Religion which they so much long for.

Secondly, The Bishops and the corrupt part of the Clergy, who cherish Formality and Superstition, as the natural effects and more probable supports of their own Ecclesiastical Tyranny and Usurpation.

Thirdly, Such Counsellors and Courtiers as for private ends have engaged themselves to further the interests of some forein Princes or States, to the prejudice of His Majesty and the State at home.

The Common Principles by which they moulded and governed all their particular Counsels and actions were these.

First, To maintain continual Differences and Discontents betwixt the King and the People, upon questions of Prerogative and Liberty, that so they might have the advantage of siding with Him, and under the notions of men addicted to His Service, gain to themselves and their parties the places of greatest trust and power in the Kingdome.

A Second, To suppress the purity and power of Religion, and such persons as were best affected to it, as being contrary to their own ends, and the greatest impediment to that Change which they thought to introduce.

A Third, To conjoyn those parties of the Kingdome which were most propitious to their own ends, and to divide those who were most opposite, which consisted in many particular observations; to cherish the Arminian part in those Points wherein they agree
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with the Papists, to multiply and enlarge the Differences betwixt the common Protestants and those whom they call Puritans, to introduce and countenance such Opinions and Ceremonies as are fittest for accommodation with Popery, to encrease and maintain ignorance, looseness and prophaneess in the people; that of those three parties, Papists, Arminians and Libertines, they might compose a body fit to act such Counsels and resolutions as were most conducive to their own ends.

A Fourth, To disaffect the King to Parliaments by Slanders and false imputations, and by putting Him upon other waies of supply, which in shew and appearance were fuller of advantage then the ordinary course of Subsidies, though in truth they brought more loss then gain both to the King and people, and have caused the great Distractions under which we both suffer.

As in all compounded bodies the Operations are qualified according to the predominant Element; so in this mixt party the Jesuited Counsels being most active and prevailing, may easily be discovered to have had the greatest sway in all their determinations; and if they be not prevented, are likely to devour the rest, or to turn them into their own nature.

In the beginning of His Majesties Reign the party begun to revive and flourish again, having been somewhat damp't by the breach with *Spain* in the last year of King *James*, and by His Majesties Marriage with *France*; the Interests and Counsels of that State being not so contrary to the good of Religion and the prosperity of this Kingdom as those of *Spain*, and the Papists of *England* having been ever more addicted to *Spain* then *France*: yet they still retained a purpose and resolution to weaken the Protestant parties in all parts, and even in *France*, whereby to make way for the Change of Religion which they intended at home.

The first effect and evidence of their recovery and strength was, the dissolution of the Parliament at *Oxford*, after there had been given two Subsidies to His Majesty, and before they received relief in any one Grievance: many other more miserable effects followed.

The loss of the *Rochel* Fleet, by the help of our Shipping, set forth and delivered over to the *French*, in opposition to the advice of Parliament; which left that Town without defence by Sea, and made way not only to the loss of that important place, but likewise to the loss of all the strength and security of the Protestant Religion in *France*.

The diverting of His Majesties course of Warres from the *West-Indies*, which was the most facile and hopeful way for this Kingdom to prevail against the *Spaniard*, to an expencefull and successless attempt upon *Cales*; which was so ordered, as if it had rather been intended to make us weary of Warre, then to prosper in it.

The precipitate breach with *France*, by taking their Ships to a great value, without making recompence to the *English*, whose goods were thereupon imbarg'd and confiscate in that Kingdom.

The Peace with *Spain* without consent of Parliament, contrary to the promise of King *James* to both Houses; whereby the *Palatine* Cause was deserted, and left to chargeable and hopeless Treaties, which, for the most part, were managed by those who might justly be suspected to be no friends to that Cause.

The charging of the Kingdom with billeted Souldiers in all parts of it, and that concomitant design of *Germane* horse; that the Land might either submit with fear, or be enforced with rigour to such Arbitrary Contributions as should be required of them.

The dissolving of the Parliament in the second year of His Majesties reign, after a Declaration of their intent to grant five Subsidies.

The exacting of the like proportion of five Subsidies after the Parliament dissolved, by Commission of Loan; and divers Gentlemen and others imprisoned for not yielding to pay that Loan, whereby many of them contracted such Sickneses as cost them their lives. Great summes of Money required and raised by privy Seals. An unjust and pernicious attempt to extort great payments from the Subject by way of Excise, and a Commission issued under Seal to that purpose. The Petition of Right, which was granted in full Parliament, blasted with an illegal Declaration, to make it destructive

destructive to it self, to the power of Parliament, to the Liberty of the Subject, and to that purpose printed with it; and the Petition made of no use, but to shew the bold and presumptuous injustice of such Ministers as durst break the Laws, and suppress the Liberties of the Kingdom, after they had been so solemnly and evidently declared.

Another Parliament dissolved 4 *Car.* the Privilege of Parliament broken by imprisoning divers Members of the House, detaining them close Prisoners for many moneths together, without the liberty of using Books, Pen, Inke or Paper, denying them all the comforts of life, all means of preservation of health, not permitting their Wives to come unto them, even in time of their Sickness; and for the compleating of that Cruelty, after years spent in such miserable durance, depriving them of the necessary means of Spiritual consolation, not suffering them to go abroad to enjoy God's Ordinances in God's House, or God's Ministers to come to them, to administer comfort unto them in their private Chambers: and to keep them still in this oppressed condition, not admitting them to be bailed according to Law, yet vexing them with Informations in inferiour Courts, sentencing and fining some of them for matters done in Parliament, and extorting the payments of those Fines from them; enforcing others to put in Security of good behaviour, before they could be released.

The imprisonment of the rest which refused to be bound still continued; which might have been perpetual, if necessity had not the last year brought another Parliament to relieve them; of whom one died by the cruelty and harshness of his Imprisonment, which would admit of no relaxation, notwithstanding the imminent danger of his life did sufficiently appear by the declaration of his Physician, and his release, or at least his refreshment, was sought by many humble Petitions. And his blood still cries either for vengeance or repentance of those Ministers of State, who have at once obstructed the course both of His Majesties Justice and Mercy.

Upon the dissolution of both these Parliaments, untrue and scandalous Declarations were published, to asperse their proceedings and some of their Members, unjustly to make them odious, and colour the violence which was used against them; Proclamations set out to the same purpose, and to the great dejecting of the hearts of the people, forbidding them even to speak of Parliaments.

After the breach of the Parliament, in the fourth year of His Majesty, Injustice, Oppression and Violence broke in upon us without any restraint or moderation: and yet the first project was the great summes exacted through the whole Kingdom for default of Knighthood, which seemed to have some colour and shadow of a Law; yet if it be rightly examined by that obsolete Law which was pretended for it, it would be found to be against all the rules of Justice, both in respect of the persons charged, the proportion of the Fines demanded, and the absurd and unreasonable manner of their proceedings. Tonnage and Poundage hath been received without colour or pretence of Law; many other heavy Impositions continued against Law; and some so unreasonable, that the summe of the charge exceeds the value of the Goods. The Book of Rates lately enhanced to a high proportion; and such Merchants as would not submit to their illegal and unreasonable payments, were vexed and oppressed above measure, and the ordinary course of Justice, the common Birth-right of the Subject of *England*, wholly obstructed unto them. And although all this was taken upon pretence of guarding the Sea, yet a new and unheard-of Tax of Ship-money was devised upon the same pretence. By both which there was charged upon the Subject near 700000^l some years; and yet the Merchants have been left so naked to the violence of the *Turkish* Pirates, that many great Ships of value and thousands of His Majesties Subjects have been taken by them, and do still remain in miserable slavery.

The enlargement of Forests, contrary to *Charta de Foresta* and the composition thereupon. The exactions of Coat and Conduct-money, and divers other Military charges. The taking away the Arms of the Trained Bands of divers Counties. The desperate design of engrossing all the Gun-powder into one hand, keeping it in the Tower of *London*, and setting so high a rate upon it that the poorer sort were not able to buy it, nor could any have it without Licence; thereby to leave the several parts

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of the Kingdom destitute of their necessary defence, and by selling so dear that which was sold, to make an unlawful advantage of it, to the great charge and detriment of the Subject. The general destruction of the Kings Timber, especially that in the Forest of *Dean*, sold to Papists, which was the best Store-house of this Kingdom for the maintenance of our Shipping. The taking away of mens Right, under colour of the Kings title to Land between high and low-water-Marks. The Monopolies of Sope, Salt, Wine, Leather, Sea-Coal, and, in a manner, of all things of most common and necessary use. The restraint of the Liberties of the Subjects in their Habitation, Trades, and other Interest. Their vexation and oppression by Purveyors, Clerks of the Market, and Salt-Peter-men. The sale of pretended Nuisances, as Buildings in and about *London*, conversion of Arable into Pasture, continuance of Pasture under the name of depopulation, have drawn many Millions out of the Subjects Purses, without any considerable profit to His Majesty. Large quantities of Common and several Grounds have been taken from the Subject by colour of the Statute of Improvement, and by abuse of the Commission of Sewers, without their consent and against it. And not only private Interest, but also publick Faith have been broken, in seizing of the Money and Bullion in the Mint; and the whole Kingdom like to be robb'd at once in that abominable project of Brass Money. Great numbers of His Majesties Subjects, for refusing those unlawful charges, have been vexed with long and expensive suits; some fined and censured, others committed to long and hard imprisonments and confinements, to the loss of health in many, of life in some; and others have had their Houses broken up, their Goods seized; some have been restrained from their lawful Callings: Ships have been interrupted in their Voyages, surprized at Sea in an hostile manner by Projectors, as by a common Enemy; Merchants prohibited to unlade their goods in such Ports as were for their own advantage, and forced to bring them to those places which were most for the advantages of the Monopolizers and Projectors: The Court of Star-chamber hath abounded in extravagant Censures, not only for the maintenance and improvement of Monopolies and other unlawful Taxes, but for divers other Causes, where there hath been no offence, or very small; whereby His Majesties Subjects have been oppressed by grievous Fines, Imprisonments, Stigmatizings, Mutilations, Whippings, Pillories, Gags, Confinements, Banishments, after so rigid a manner, as hath not only deprived men of the society of their Friends, exercise of their Professions, comfort of Books, use of Paper or Ink, but even violated that near Union which God hath establish'd betwixt Men and their Wives, by forced and constrained separation; whereby they have been bereaved of the comfort and conversation one of another for many years together, without hope of relief, if God had not by his over-ruling Providence given some interruption to the prevailing power and counsel of those who were the Authors and Promoters of such peremptory and heady courses.

Judges have been put out of their places for refusing to doe against their Oaths and Consciences: Others have been so awed, that they durst not doe their duties; and the better to hold a rod over them, the Clause *Quamdiu se bene gesserit* was left out of their Patents, and a new Clause *Durante beneplacito* inserted. Lawyers have been checkt for being faithful to their Clients; Solicitors and Attorneys have been threatned, and some punished, for following lawful Suites: And by this means all the approaches to Justice were interrupted and forecluded. New Oathes have been forced upon the Subject against Law; new Judicatories erected without Law. The Council-Table have by their Orders offered to bind the Subjects in their Free-holds, Estates, Suites and Actions. The pretended Court of the Earl-Marshall was Arbitrary and Illegal in its being and proceedings. The Chancery, Exchequer-Chamber, Court of Wards, and other English Courts have been grievous in exceeding their Jurisdiction: The estate of many Families weakned, and some ruined, by excessive Fines exacted from them for Compositions of Wardships: All Leases of above a hundred years made to draw on Wardship contrary to Law. Undue proceedings used in the finding of Offices, to make the Jury find for the King. The Common-Law Courts, seeing all men more inclined to seek Justice there where it may be fitted to their own desire, are known frequently to forsake the Rules of the Common-Law,
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and straining beyond their bounds, under pretence of Equity to doe Injustice. Titles of Honour, Judicial places, Serjeantships at Law and other Offices, have been sold for great summes of money, whereby the common Justice of the Kingdom hath been much endangered; not only by opening a way of employment in places of great Trust and advantage to men of weak parts, but also by giving occasion to Bribery, Extortion, Partiality; it seldome hapning that places ill gotten are well used. Commissions have been granted for examining the excess of Fees: and when great Exactions have been discovered, Compositions have been made with Delinquents, not only for the time past, but likewise for immunity and security in offending for the time to come; which under colour of remedy, hath but confirmed and encreased the Grievance to the Subject. The usual course of pricking Sheriffs not observed, but many times Sheriffs made in an extraordinary way: sometimes as a punishment and charge unto them; sometimes such were pricked out as would be Instruments to execute whatsoever they would have to be done.

The Bishops and the rest of the Clergy did triumph in the Suspensions, Excommunications, Deprivations and Degradations of divers painful, learned and pious Ministers, in the vexation and grievous oppression of great numbers of His Majesties good Subjects. The High-Commission grew to such excess of sharpness and severity, as was not much less then the *Romish* Inquisition; and yet in many cases by the Archbishops power was made much more heavy, being assisted and strengthened by authority of the Council-Table.

The Bishops and their Courts were as eager in the Country; and although their Jurisdiction could not reach so high in rigor and extremity of punishment, yet were they no less grievous in respect of the generality and multiplicity of vexations, which lighting upon the meaner sort of Trades-men and Artificers, did impoverish many thousands, and so afflict and trouble others, that great numbers, to avoid their miseries, departed out of the Kingdom, some into *New-England* and other parts of *America*, others into *Holland*, where they have transported their Manufactures of Cloth; which is not only a loss, by diminishing the present stock of the Kingdom, but a great mischief, by impairing and endangering the loss of that peculiar Trade of Cloathing, which hath been a plentiful fountain of Wealth and Honour to this Nation. Those were fittest for Ecclesiastical preferment, and soonest obtained it, who were most officious in promoting Superstition, most virulent in railing against Godliness and Honesty.

The most publick and solemn Sermons before His Majesty were either to advance Prerogative above Law, and decry the Property of the Subject; or full of such kind of Invectives whereby they might make those odious who sought to maintain the Religion, Laws & Liberties of the Kingdom: and such men were sure to be weeded out of the Commission of the Peace, and out of all other employments of power in the Government of the Countrey. Many noble Personages were Councillors in name, but the power and authority remained in a few of such as were most addicted to this party; whose resolutions and determinations were brought to the Table for countenance and execution, and not for debate and deliberation; and no man could offer to oppose them without disgrace and hazard to himself. Nay, all those that did not wholly concur and actively contribute to the furtherance of their designs, though otherwise persons of never so great Honour and Abilities, were so farre from being employed in any place of trust and power, that they were neglected, discountenanced, and upon all occasions injured and oppressed. This Faction was grown to that height and entireness of power, that now they began to think of finishing their Work; which consisted of these three parts.

1. *The Government must be set free from all restraint of Laws concerning our Persons and States.*
2. *There must be a Conjunction betwixt Papists and Protestants in Doctrine, Discipline and Ceremonies; only it must not yet be called Popery.*
3. *The Puritans, (under which name they include all those that desire to preserve the Laws and Liberties of the Kingdom, and to maintain Religion in the power of it) must be either rooted out of the Kingdom with force, or driven out with fear. For the effecting*

of this, it was thought necessary to reduce Scotland to such Popish Superstitions and Innovations as might make them apt to joyn with England in that great Change which was intended. Whereupon new Canons and a new Liturgy were prest upon them; and when they refused to admit of them, an Army was raised to force them to it, towards which the Clergy and the Papists were very forward in their contribution. The Scots likewise raised an Army for their defence: and when both Armies were come together, and ready for a bloody encounter, His Majesties own Gracious Disposition, and the Counsel of the English Nobility, and Dutiful submission of the Scots, did so far prevail against the evil Counsel of others, that a Pacification was made, and His Majesty returned with Peace and much Honour to London.

The unexpected Reconciliation was most acceptable to all the Kingdome, except to the malignant party; whereof the Archbishop and the Earle of *Strafford* being heads, they and their faction begun to inveigh against the Peace, and to aggravate the proceeding of the States, which so incensed His Majesty, that He forthwith prepared again for Warre. And such was their confidence, that having corrupted and distempered the whole frame and Government of the Kingdom, they did now hope to corrupt that which was the onely means to restore all to a right frame and temper again. To which end they perswaded His Majesty to call a Parliament, not to seek counsel and advice of them, but to draw countenance and Supply from them, and engage the whole Kingdom in their Quarrel: and in the mean time continued all their unjust Levies of money, resolving either to make the Parliament pliant to their Will, and to establish mischief by a Law, or else to break it; and with more colour to goe on by violence, to take what they could not obtain by consent.

The ground alledged for the justification of this Warre was this, That the undutiful Demands of the Parliaments of *Scotland* was a sufficient reason for His Majesty to take Armes against them, without hearing the Reason of those Demands. And thereupon a new Army was prepared against them, their Ships were seized in all Ports both of *England* and *Ireland*, and at Sea, their Petitions rejected, their Commissioners refused Audience, this whole Kingdom most miserably distempered with Levies of Men and Money, and Imprisonments of those who denied to submit to those Levies. The Earle of *Strafford* past into *Ireland*, caused the Parliament there to declare against the Scots, to give four Subsidies towards that Warre, and to ingage themselves, their lives and fortunes for the prosecution of it; and gave directions for an Army of eight thousand foot and one thousand horse to be levied there, which were for the most part Papists.

The Parliament met upon the thirteenth of *April* one thousand six hundred and fourty. The Earle of *Strafford* & Archbishop of *Canterbury* with their Party so prevailed with His Majesty, that the House of Commons was prest to yield to a Supply for maintenance of the Warre with *Scotland*, before they had provided any relief for the great and pressing Grievances of the people: which being against the fundamental Privilege and proceeding of Parliament, was yet in humble respect to His Majesty so farre admitted, as that they agreed to take the matter of Supply into consideration, and two severall daies it was debated. Twelve Subsidies were demanded for the release of Ship-money alone. A third day was appointed for conclusion: when the Heads of that Party begun to fear the people might close with the King in satisfying his desire of money; but that withall they were like to blast their malicious designs against *Scotland*, finding them very much indisposed to give any countenance to that Warre. Thereupon they wickedly advised the King to break off the Parliament, and to return to the waies of Confusion, in which their own evil intentions were most like to prosper and succeed.

After the Parliament ended the fifth of *May* 1640. this Party grew so bold, as to counsel the King to supply Himself out of his Subjects states by His own Power, at His own will, without their consent. The very next day some Members of both Houses had their studies and cabinets, yea their pockets, searched: another of them not long after was committed close prisoner, for not delivering some Petitions which he received by authority of that House. And if harsher courses were intended (as was reported) it is very probable that the sickness of the Earle of *Strafford*, and the tumultuous rising in

in *Southwark* and about *Lambeth*, were the causes that such violent intentions were not brought to execution. A false and scandalous Declaration against the House of Commons was published in his Majesties Name; which yet wrought little effect with the people, but only to manifest the impudence of those who were Authors of it.

A forced Loan of money was attempted in the City of *London*. The Lord Maior and Aldermen in their severall Wards enjoyned to bring in a list of the names of such persons as they judged fit to lend, and of the summe they should lend. And such Aldermen as refused so to doe, were committed to prison.

The Archbishop and the other Bishops and Clergy continued the Convocation, and by a new Commission turned it to a Provincial Synod, in which, by an unheard-of presumption, they made Canons that contain in them many matters contrary to the Kings Prerogative, to the fundamental Laws and Statutes of the Realm, to the Right of Parliaments, to the Property and Liberty of the Subject, and matters tending to Sedition and of dangerous consequence, thereby establishing their own Usurpations, justifying their Altar-worship, and those other superstitious Innovations which they formerly introduced without warrant of Law.

They imposed a new Oath upon divers of his Majesties Subjects, both Ecclesiastical and Lay, for maintenance of their own Tyranny, and laid a great tax upon the Clergy for supply of his Majesty; and generally they shewed themselves very affectionate to the Warre with *Scotland*, which was by some of them styled *Bellum Episcopale*, and a Prayer composed, and enjoyned to be read in all Churches, calling the *Scots* Rebels, to put the two Nations into blood, and make them irreconcilable. All those pretended Canons and Constitutions were armed with the severall Censures of Suspension, Excommunication, Deprivation, by which they would have thrust out all the good Ministers, and most of the well-affected people of the Kingdome, and left an easie passage to their own design of reconciliation with *Rome*. The Popish party enjoyed such exemptions from the Penal Laws as amounted to a Toleration, besides many other encouragements and Court-favours: They had a Secretary of State, Sir *Francis Windebank*, a powerful Agent for the speeding of all their desires; a *Pope's Nuntio* residing here to act and govern them according to such influences as he received from *Rome*, and to intercede for them with the most powerful concurrence of the forein Princes of that Religion. By his authority the Papists of all sorts, Nobility, Gentry and Clergy were convocated after the manner of a Parliament, new Jurisdictions were erected of *Romish* Archbishops, Taxes levied, another State moulded within this State independent in Government, contrary in Interest and affection, secretly corrupting the ignorant or negligent Professours of our Religion, and closely uniting and combining themselves against such as were sound, in this posture waiting for an opportunity by force to destroy those whom they could not hope to seduce. For the effecting whereof they were strengthened with Armes and Munition, encouraged by superstitious Prayers enjoyned by the *Nuntio* to be weekly made for the prosperity of some great Design. And such power had they at Court, that secretly a Commission was issued out, intended to be issued to some Great men of that profession, for the levying of Souldiers, and to command and employ them according to private instructions, which we doubt were framed for the advantage of those who were the contrivers of them. His Majesties Treasure was consumed, His Revenue anticipated, His Servants and Officers compelled to lend great summes of mony; Multitudes were called to the Councel-Table, who were tired with long attendances there, for refusing illegal payments. The Prisons were filled with their Commitments; many of the Sheriffs summoned into the Starre-Chamber, and some imprisoned for not being quick enough in levying the Ship-money; the people languished under grief and fear, no visible hope being left but in desperation. The Nobility began to be weary of their silence and patience, and sensible of the duty and trust which belongs to them: and thereupon some of the most eminent of them did petition His Majesty, at such a time when evil Counsels were so strong that they had reason to expect more hazard to themselves then redress of those publick evils for which they interceded. Whilest the Kingdome was in this agitation and distemper, the *Scots*, restrained in their Trades, impoverished by the loss of many of their

Ships, bereaved of all possibility of satisfying His Majesty by any naked Supplication, entred with a powerful Army into the Kingdome, and without any hostile Act or spoil in the Countrey as they passed, more then forcing a passage over the *Tyne* at *Newborne* near *Newcastle*, possessed themselves of *Newcastle*, and had a fair opportunity to press on further upon the Kings Army : but duty and reverence to His Majesty, and brotherly love to the *English* Nation, made them stay there, whereby the King had leisure to entertain better Counsels ; wherein God so blessed and directed Him, that He summoned the great Council of Peers to meet at *York* upon the twenty fourth of *September*, and there declared a Parliament to begin the third of *November* then following. The *Scots* the first day of the great Council presented an humble Petition to His Majesty ; whereupon the Treaty was appointed at *Rippon*, a present Cessation of armes agreed upon, and the full conclusion of all Differences referred to the wisdom and care of the Parliament.

At our first meeting all Oppositions seemed to vanish ; the mischiefs were so evident which those evil Counsellors produced, that no man durst stand up to defend them. Yet the work it self afforded difficulty enough. The multiplied evils and corruption of sixteen years, strengthened by Custome and Authority, and the concurrent interest of many powerful Delinquents, were now to be brought to judgment and Reformation. The Kings Household was to be provided for ; they had brought Him to that want, that He could not supply His ordinary and necessary Expences without the assistance of His People. Two Armies were to be payed, which amounted very near to thirty thousand pounds a moneth ; the people were to be tenderly charged, having been formerly exhausted with many burthenfome Projects. The Difficulties seemed to be insuperable, which by the Divine Providence we have overcome ; the Contrarieties incompatible, which yet in a great measure we have reconciled. Six Subsidies have been granted, and a Bill of Poll-money, which, if it be duly levied, may equal six Subsidies more, in all six hundred thousand pounds. Besides, we have contracted a debt to the *Scots* of two hundred & twenty thousand pounds ; and yet God hath so blessed the endeavours of this Parliament, that the Kingdome is a great gainer by all these charges. The Ship-money is abolished, which cost the Kingdom above 200000 pounds a year. The Coat and Conduct-money and other military charges are taken away, which in many Countries amounted to little less then the Ship-money. The Monopolies are all suppressed, whereof some few did prejudice the Subject above a Million yearly : the Soap an hundred thousand pounds, the Wine three hundred thousand pounds, the Leather must needs exceed both, and Salt could not be less then that ; besides the inferiour Monopolies, which, if they could be exactly computed, would make up a great summe. That which is more beneficiall then all this is, that the root of these evils is taken away, which was the arbitrary power pretended to be in His Majesty, of taxing the Subject, or charging their estates without consent in Parliament, which is now declared to be against Law by the judgement of both Houses, and likewise by an Act of Parliament. Another step of great advantage is this, the living Grievances, the evil Counsellors and actors of these mischiefs have been so quelled by the Justice done upon the Earle of *Strafford*, the flight of the Lord *Finch* and Secretary *Windebank*, the accusation and imprisonment of the Archbishop of *Canterbury*, of Judge *Bartlet*, and the impeachment of divers other Bishops and Judges, that it is like not only to be an ease to the present times, but a preservation to the future. The discontinuance of Parliaments is prevented by the Bill for a Triennial Parliament, and the abrupt dissolution of this Parliament by another Bill ; by which it is provided it shall not be dissolved or adjourned without the consent of both Houses. Which two Laws well considered may be thought more advantageous then all the former, because they secure a full operation of the present remedy, and afford a perpetual Spring of remedies for the future. The Star-chamber, the High-Commission, the Courts of the President and Council in the North, were so many forges of Misery, Oppression, and Violence, and are all taken away ; whereby men are more secured in their Persons, Liberties and Estates, then they could be by any Law or Example for the regulation of those Courts, or Terror of the Judges. The immoderate power of the Council-Table and the excessive
abuse

abuse of that power is so ordered and restrained, that we may well hope that no such things as were frequently done by them, to the prejudice of the publick Liberty, will appear in future times, but only in Stories, to give us and our posterity more occasion to praise God for his Majesties Goodness, and the faithful endeavours of this Parliament. The Canons, and the power of Canon-making, are blasted by the Vote of both Houses. The exorbitant power of Bishops and their Courts are much abated, by some Provisions in the Bill against the High-Commission Court. The authors of the many Innovations in Doctrine and Ceremonies, the Ministers that have been scandalous in their lives, have been so terrified in just complaints and accusations, that we may well hope they will be more modest for the time to come; either inwardly convicted by the sight of their own folly, or outwardly restrained by the fear of punishment. The Forests are by a good Law reduced to their right bounds; the encroachments and oppressions of the Stannary Courts, the Extortions of the Clark of the Market, and the Compulsion of the Subject to receive the Order of Knight-hood against his will, paying of Fines for not receiving it, and the vexatious proceedings thereupon for levying of those Fines, are by other beneficial Laws reformed and prevented. Many excellent Laws and provisions are in preparation for removing the inordinate power, vexation and usurpation of Bishops, for reforming the pride and idleness of many of the Clergy, for easing the people of unnecessary Ceremonies in Religion, for censuring and removing unworthy and unprofitable Ministers, and for maintaining godly and diligent Preachers through the Kingdome. Other things of main importance for the good of this Kingdome are in proposition; though little could hitherto be done, in regard of the many other more pressing businesses, which yet before the end of this Session we hope may receive some progress and perfection. The establishing and ordering the Kings Revenue, that so the abuse of Officers and superfluity of expences may be cut off, and the necessary disbursements for His Majesties Honour, the defence and government of the Kingdome, may be more certainly provided for: The regulating of Courts of Justice; and abridging both the delays and charges of Law-suits: The settling of some good courses for preventing the exportation of Gold and Silver, and the inequality of exchanges betwixt us and other Nations; for the advancing of native Commodities, increase of our Manufactures, and well-balancing of Trade, whereby the stock of the Kingdome may be increased, or at least kept from impairing, as through neglect hereof it hath done for many years last past; for improving the Herring-fishing upon our own Coasts, which will be of mighty use in the imployment of the poor, and a plentiful Nursery of Mariners for enabling the Kingdome in any great action.

The Oppositions, Obstructions, and other Difficulties wherewith we have been encountred, and which still lye in our way with some strength and much obstinacy, are these: The malignant party, whom we have formerly described to be the Actors and Promoters of all our Misery, they have taken heart again: They have been able to preferre some of their own Factors and Agents to degrees of Honour, to places of Trust and imployment, even during the Parliament: They have endeavoured to work in His Majesty ill impressions and opinions of our proceedings, as if we had altogether done our own work, and not His, and had obtained from Him many things very prejudicial to the Crown, both in respect of Prerogative and Profit.

To wipe out this Slander, We think good only to say thus much, That all that we have done is for His Majesty, His Greatness, Honour and Support. When we yielded to give twenty five thousand pounds a moneth for the relief of the Northern Countries, this was given to the King, for He was bound to protect His Subjects; they were His Majesties evil Counsellors and their ill instruments that were actors in these Grievances which brought in the *Scots*: and if His Majesty please to force those who were the authors of this War to make satisfaction, as He might justly and easily doe, it seems very reasonable that the people might well be excused from taking upon them this burthen, being altogether innocent, and free from being any causes of it.

When we undertook the charge of the Army, which cost above 50000. pound a moneth, was not this given to the King? was it not His Majesties Army? were not

all the Commanders under contract with His Majesty at higher rates and greater wages than ordinary? And have not we taken upon us to discharge all the brotherly assistance of three hundred thousand pounds which we gave the *Scots*? was it not toward repair of those damages and losses which they received from the Kings Ships and from His Ministers? These three particulars amount to above eleven hundred thousand pounds; besides His Majesty hath received by Impositions upon Merchandise at least four hundred thousand pounds: so that His Majesty hath had out of the Subjects purse since the Parliament began one million and an half, and yet these men can be so impudent as to tell His Majesty that we have done nothing for Him.

As to the second branch of this Slander, we acknowledge with much thankfulness that his Majesty hath passed more good Bills to the advantage of the Subjects than have been in many Ages: but withall we cannot forget that these venomous counsels did manifest themselves in some endeavours to hinder these good Acts. And for both Houses of Parliament we may with truth and modesty say thus much, That we have ever been careful not to desire any thing that should weaken the Crown, either in just Profit or useful Power. The Triennial Parliament, for the matter of it, doth not extend to so much as by Law we ought to have required, there being two Statutes still in force for a Parliament to be once a year; and for the manner of it, it is in the Kings power that it shall never take effect, if he by a timely summons shall prevent any other way of assembling. In the Bill for continuance of this present Parliament, there seems to be some restraint of the Royal power in dissolving of Parliaments; not to take it out of the Crown, but to suspend the execution of it for this time and occasion onely; which was so necessary for the Kings own security and the publick Peace, that without it we could not have undertaken any of these great charges, but must have left both the Armies to disorder and confusion, and the whole Kingdome to blood and rapine. The Star-chamber was much more fruitful in oppression than in profit, the great Fines being for the most part given away, and the rest stalled at long times. The Fines of the High-Commission were in themselves unjust, and seldom or never came into the Kings purse. These four Bills are particularly and more specially instanced, in the rest there will not be found so much as a shadow of prejudice to the Crown.

They have sought to diminish our reputation with the people, and to bring them out of love with Parliaments: the aspersions which they have attempted this way have been such as these; That we have spent much time and done little, especially in those Grievances which concern Religion. That the Parliament is a burthen to the Kingdome by the abundance of Protections, which hinder Justice and Trade; and by many Subsidies granted, much more heavy than any they formerly endured. To which there is a ready answer: If the time spent in this Parliament be considered in relation backward to the long growth and deep root of those Grievances which we have removed, to the powerful supports of those Delinquents which we have pursued, to the great necessities and other charges of the Commonwealth for which we have provided; or if it be considered in relation forward to many advantages which not only the present but future ages are like to reap by the good Laws and other proceedings in this Parliament; we doubt not but it will be thought by all indifferent judgements, that our time hath been much better employed then in a far greater proportion of time in many former Parliaments put together; and the charges which have been laid upon the Subjects, and the other inconveniences which they have born, will seem very light in respect of the benefit they have and may receive. And for the matter of Protections, the Parliament is so sensible of it, that therein they intend to give them whatsoever ease may stand with Honour and Justice; and are in a way of passing a Bill to give them satisfaction.

They have sought by many subtile practices to cause jealousies and divisions betwixt us and our brethren of *Scotland*, by slandering their proceedings and intentions towards us, and by secret endeavours to instigate and incense them and us one against another. They have had such a party of Bishops and Popish Lords in the House of Peeres as hath caused much opposition and delay in the prosecution of Delinquents, hindered the proceedings of divers good Bills passed in the Commons House concerning

cerning the reformation of sundry great abuses and corruptions both in Church and State. They have laboured to seduce and corrupt some of the Commons House, to draw them into Conspiracies and Combinations against the Liberty of the Parliament: and by their instruments and agents they have attempted to disaffect and discontent his Majesties Army, and to engage it for the maintenance of their wicked and traitorous designs, the keeping up of Bishops in their Votes and Functions, and by force to compel the Parliament to order, limit and dispose their proceedings in such manner as might best concur with the intentions of this dangerous and potent faction. And when one mischievous designe and attempt of theirs to bring on the Army against the Parliament and the City of *London* had been discovered and prevented, they presently undertook another of the same damnable nature, with this addition to it, to endeavor to make the *Scotish* Army neutral, whilst the *English* Army, which they had laboured to corrupt and invenome against us by their false and slanderous suggestions, should execute their malice to the subversion of our Religion and the dissolution of our Government.

Thus they have been continually practising to disturb the Peace, and plotting the destruction even of all the Kings dominions, and have employed their Emissaries and Agents in them all for the promoting of their devilish designs, which the vigilancy of those who were well-affected hath still discovered and defeated before they were ripe for execution in *England* and *Scotland*; only in *Ireland*, which was farther off, they have had time and opportunity to mould and prepare their work, and had brought it to that perfection, that they had possessed themselves of that whole Kingdome, totally subverted the Government of it, rooted out Religion, and destroyed all the Protestants, whom the conscience of their duty to God, their King and Countrey, would not have permitted to joyn with them, if by God's wonderful providence their main enterprize upon the City and Castle of *Dublin* had not been detected and prevented upon the very Eve before it should have been executed. Notwithstanding they have in other parts of that Kingdom broken out into open Rebellion, surpris'd Towns and Castles, committed murders, rapes and other villanies, and shaken off all bonds of Obedience to His Majesty and the Laws of the Realm; and in general have kindled such a fire, as nothing but God's infinite blessing upon the wisdom and endeavours of this State will be able to quench it. And certainly, had not God in his great mercy unto this Land discovered and confounded their former designs, we had been the Prologue to this Tragedy in *Ireland*, and had by this time been made the lamentable spectacle of misery and confusion.

And now what hope have we but in God, when as the only means of our subsistence and power of Reformation is under Him in the Parliament? But what can we the Commons, without the conjunction of the House of Lords? and what conjunction can we expect there, when the Bishops and Recusant Lords are so numerous and prevalent, that they are able to cross and interrupt our best endeavours for Reformation, and by that means give advantage to this malignant party to traduce our proceedings?

They infuse into the People, that we mean to abolish all Church-government, and leave every man to his own fancie for the Service and Worship of God, absolving him of that Obedience which he owes under God unto his Majesty, whom we know to be entrusted with the Ecclesiastical Law as well as with the Temporal, to regulate all the members of the Church of *England* by such rules of order and discipline as are established by Parliament, which is his great Council in all affairs both of Church and State. We confess our intention is, and our endeavours have been, to reduce within bounds that exorbitant power which the Prelates have assumed unto themselves so contrary both to the Word of God and to the Laws of the Land: to which end we pass the Bill for the removing them from their Temporal power and employments, that so the better they might with meekness apply themselves to the discharge of their functions: Which Bill themselves opposed, and were the principal instruments of crossing it. And we do here declare, that it is far from our purpose or desire to let loose the golden reins of Discipline and Government in the Church, to leave private persons or particular Congregations to take up what form of Divine

Service they please : for we hold it requisite that there should be throughout the whole Realm a Conformity to that Order which the Laws enjoyn, according to the Word of God ; and we desire to unburthen the Consciences of men of needless and superstitious Ceremonies, suppress Innovations, and take away the monuments of Idolatry. And the better to effect the intended Reformation, we desire there may be a general Synod of the most grave, pious, learned and judicious Divines of this Iland, assisted with some from forein parts, professing the same Religion with us, who may consider of all things necessary for the peace and good Government of the Church, and represent the results of their consultations unto the Parliament, to be there allowed of and confirmed, and receive the stamp of Authority, thereby to find passage and obedience throughout the Kingdome.

They have maliciously charged us that we intend to destroy and discourage Learning, whereas it is our chiefeft care and desire to advance it, and to provide a competent maintenance for conscionable and preaching Ministers throughout the Kingdome, which will be a great encouragement to Scholars, and a certain means whereby the want, meanness and ignorance to which a great part of the Clergy is now subject will be prevented. And we intend likewise to reform and purge the fountains of Learning, the two Universities, that the streams flowing from thence may be clear and pure, and an honour and comfort to the whole Land.

They have strained to blast our proceedings in Parliament, by wresting the interpretation of our Orders from their genuine intention. They tell the people, that our meddling with the power of Episcopacy hath caused Sectaries and Conventicles, when Idolatry and Popish Ceremonies introduced in the Church by the command of the Bishops have not only debarred the people from thence, but expelled them from the Kingdome. Thus with *Eliab* we are called by this malignant party the Troublers of the State ; and still while we endeavour to reform their abuses, they make us the Authours of those mischiefs we study to prevent.

For the perfecting of the Work begun, and removing all future impediments, we conceive these courses will be very effectual : seeing the Religion of the Papists hath such Principles as do certainly tend to the destruction and extirpation of all Protestants, when they shall have opportunity to effect it ;

It is necessary in the first place to keep them in such a condition as that they may not be able to doe us any hurt. And for avoiding of such connivence and favour as hath heretofore been shewed unto them, that His Majesty be pleased to grant a standing Commission to some choice men named in Parliament, who may take notice of their encrease, their counsels and proceedings, and use all due means by execution of the Laws to prevent all mischievous designs against the Peace and Safety of this Kingdome. That some good course be taken to discover the counterfeit and false conformity of Papists to the Church ; by colour whereof persons very much disaffected to the true Religion have been admitted into place of greatest authority and trust in the Kingdome.

For the better preservation of the Laws and Liberties of the Kingdome, that all illegal Grievances and Exactions be presented and punished at the Sessions and Assizes : and that Judges and Justices be very carefull to give this in charge to the Grand-Jury, and both the Sheriffe and Justices to be sworn to the due execution of the Petition of Right and other Laws. That His Majesty be humbly petitioned by both Houses, to employ such Counsellours, Ambassadors and other Ministers in managing His business at home and abroad, as the Parliament may have cause to confide in ; without which we cannot give His Majesty such Supplies for support of His own estate, nor such assistance to the Protestant party beyond the Sea as is desired. It may often fall out that the Commons may have just cause to take exceptions at some men for being Counsellours, and yet not charge those men with crimes : for there be grounds of diffidence which lye not in proof ; there are others which, though they may be proved, yet are not legally criminal. To be a known favourer of Papists, or to have been very forward in defending or countenancing some great Offenders questioned in Parliament, or to speak contemptuously of either House of Parliament or Parliamentary proceedings, or such as are Factours or Agents for any forein Prince

Prince of another Religion, such are justly suspect to get Counsellours places, or any other of trust concerning publick employment, for money. For all these and divers others we may have great reason to be earnest with His Majesty, not to put His great affairs into such hands, though we may be unwilling to proceed against them in any legal way of charge or impeachment. That all Counsellours of State may be sworn to observe those Laws which concern the Subject in his Liberty. That they may likewise take an Oath, not to receive or give reward or pension from any foreign Prince, but such as they shall within some reasonable time discover to the Lords of His Majesties Council: And although they should wickedly forswear themselves, yet it may herein doe good, to make them known to be false and perjured to those who employ them, and thereby bring them into as little credit with them as with us. That His Majesty may have cause to be in love with good counsel and good men, by shewing Him in an humble and dutiful manner how full of advantage it would be to Himself, to see His own estate settled in a plentiful condition to support His Honour; to see His people united in waies of Duty to Him and endeavours of the publick good; to see Happiness, Wealth, Peace and Safety derived to His own Kingdome, and procured to His Allies, by the influence of His own Power and Government. That all good courses may be taken to unite the two Kingdomes of *England* and *Scotland*, to be mutually aiding and assisting of one another for the common good of the Iland, and honour of both. To take away all differences amongst our selves for matters indifferent in their own nature concerning Religion; and to unite our selves against the common enemies, which are the better enabled by our Divisions to destroy us all, as they hope and have often endeavoured. To labour by all offices of friendship to unite the foreign Churches with us in the same Cause, and to seek their liberty, safety and prosperity, as bound thereunto both by charity to them and by wisdom for our own good. For by this means our own strength shall be encreased, and by a mutual concurrence to the same common End we shall be enabled to procure the good of the whole body of the Protestant profession.

If these things may be observed, we doubt not but God will crown this Parliament with such success as shall be the beginning and foundation of more Honour and Happiness to His Majesty then ever yet was enjoyed by any of His Royal Predecessours.

Die Mercurii, 15. Decemb. 1641.

It is this day resolved upon the Question by the House of Commons, that Order shall be now given for the Printing of this REMONSTRANCE of the State of the Kingdome.

H. Elsing Cler. Parl. D. Com.

His

His MAJESTIES Answer to the Petition which accompanied the Declaration presented to Him at Hampton-Court, 1 December 1641.

WE having received from you, soon after Our return out of Scotland, a long Petition, consisting of many desires of great moment, together with a Declaration of a very unusual nature annexed thereunto, We had taken some time to consider of it, as befitted Us in a matter of that consequence, being confident that your own reason and regard to Us, as well as Our express intimation by Our Comptroller to that purpose, would have restrained you from the publishing of it, till such time as you should have received Our Answer to it : But, much against our expectation, finding the contrary, that the said Declaration is already abroad in Print by directions from your House, as appears by the printed Copy, We are very sensible of the disrespect. Notwithstanding, it is Our Intention that no failing on your part shall make Us fail in Ours, of giving all due satisfaction to the desires of Our People, in a Parliamentary way ; and therefore We send you this Answer to your Petition, reserving Our self in point of the Declaration, which We think unparliamentary, and shall take a course to doe that which We shall think fit in Prudence and Honour.

To the Petition We say, That although there are divers things in the Preamble of it which We are so far from admitting, that We profess We cannot at all understand them, as, *Of a wicked and malignant party prevalent in the Government ; of some of that party admitted to Our Privy Council, and to other Employments of trust, and nearest to Us and Our Children ; of endeavours to sow among the People false Scandals and imputations, to blemish and disgrace the Proceedings of the Parliament ;* all or any of which did We know of, We should be as ready to remedy and punish as you to complain of : that the Prayers of your Petition are grounded upon such Premisses as We must in no wise admit : Yet notwithstanding We are pleased to give this Answer to you.

To the first, concerning Religion, consisting of several branches, We say, That for the preserving the Peace and Safety of the King-
dome

dome from the designs of the Popish party, We have, and will still concur with all the just desires of Our People in a Parliamentarie way. That for the depriving of the Bishops of their Votes in Parliament, We would have you consider, that their Right is grounded upon the Fundamental Law of the Kingdome and constitution of Parliament. This We would have you consider: but since you desire Our concurrence herein in a Parliamentarie way, We will give no farther answer at this time.

As for the abridging of the inordinate power of the Clergy, We conceive that the taking away the High-Commission Court hath well moderated that: but if there continue any Usurpations or Excesses in their Jurisdictions, We therein neither have nor will protect them.

Unto that Clause which concerneth Corruptions (as you style them) in Religion, in Church-Government and in Discipline, and the removing of such unnecessary Ceremonies as weak Consciences might check at; That for any illegal Innovations which may have crept in, We shall willingly concur in the removal of them. That if Our Parliament shall advise Us to call a National Synod, which may duely examine such Ceremonies as give just cause of offence to any, We shall take it into consideration, and apply Our self to give due satisfaction therein. But We are very sorry to hear in such general termes Corruption in Religion objected, since We are perswaded in Our Conscience, that no Church can be found upon the earth that professeth the true Religion with more purity of Doctrine then the Church of *England* doth, nor where the Government and Discipline are joyntly more beautified and free from Superstition then as they are here established by Law; which (by the grace of God) We will with Constancy maintain (while We live) in their Purity and Glory, not only against all invasions of Popery, but also from the irreverence of those many Schismatics and Separatists wherewith of late this Kingdome and this City abounds, to the great dishonour and hazard both of Church and State; for the suppression of whom We require your timely and active assistance.

To the second prayer of the Petition, concerning the removal and choice of Counsellours, We know not any of Our Council to whom

whom the Character set forth in the Petition can belong. That by those whom We had exposed to Trial, We have already given you sufficient testimony, that there is no man so near unto Us in place or affection whom We will not leave to the Justice of the Law, if you shall bring a particular charge and sufficient proofs against him; and of this We do again assure you: but in the mean time We wish you to forbear such general aspersions as may reflect upon all Our Council, since you name none in particular.

That for the choice of Our Counsellours and Ministers of State, it were to debarre Us that natural liberty all Free-men have: and as it is the undoubted right of the Crown of *England* to call such persons to Our secret Counsels, to publick employment, and Our particular service, as We shall think fit; so We are and ever shall be very careful to make election of such persons in those places of trust, as shall have given good testimonies of their abilities and integrity, and against whom there can be no just cause of exception whereon reasonably to ground a diffidence: and to choices of this nature We assure you that the mediation of the nearest unto Us hath alwaies concurred.

To the third prayer of your Petition, concerning *Ireland*, We understand your desire of not alienating the forfeited lands thereof to proceed from your much care and love, and likewise that it may be a Resolution very fit for Us to take: but whether it be seasonable to declare Resolutions of that nature before the Events of a Warre be seen, that We much doubt of. Howsoever, We cannot but thank you for this care, and your chearfull ingagement for the suppression of that Rebellion; upon the speedy effecting whereof the Glory of God in the Protestant Profession, the safety of the *British* there, Our Honor, and that of the Nation, so much depends. All the Interests of this Kingdome being so involved in that business, We cannot but quicken your affections therein, and shall desire you to frame your Counsels, and to give such expedition to the Work, as the nature thereof and the pressures in point of Time require, and whereof you are put in mind by the daily insolence and increase of those Rebels.

For Conclusion, your promise to apply your selves to such courses as may support Our Royall Estate with Honour and Plenty at home,
and

and with Power and Reputation abroad, is that which We have ever promised Our self both from your Loyalties and Affections, and also for what We have already done, and shall daily goe adding unto, for the comfort and happines of Our People.

*His MAJESTIES Declaration to all His loving Subjects:
Published with the Advice of His Privie Council.*

Although We do not believe that Our House of Commons intended by their Remonstrance of the State of the Kingdom to put Us to any Apologie either for Our past or present Actions; notwithstanding, since they have thought it so very necessary (upon their observation of the present Distemper) to publish the same, for the satisfaction of all Our loving Subjects, We have thought it very sutable to the duty of Our place, (with which God hath trusted Us) to doe Our part to so good a Work: in which We shall not think it below Our Kingly Dignity to descend to any particular which may compose and settle the affections of Our meanest Subjects, since We are so conscious to Our Self of such upright Intentions and Endeavours, and onely of such, (for which We give God thanks) for the Peace and Happines of Our Kingdom, in which the Prosperity of Our Subjects must be included, that We wish from Our heart that even Our most secret Thoughts were published to their view and examination. Though We must confess We cannot but be very sorry in this conjuncture of time (when the unhappines of this Kingdom is so generally understood abroad) there should be such a necessity of publishing so many Particulars, from which We pray no Inconveniencies may insue that were not intended.

We shall in few words pass over that part of the Narrative, wherein the Misfortunes of this Kingdom from Our first entering to the Crown to the beginning of this Parliament are remembred in so sensible expressions: and that other which acknowledgeth the many good Laws passed by Our Grace and Favour this Parliament, for the Security of Our People; of which We shall onely say thus much, That as We have not refused to pass any Bill presented to Us by Our Parliament for redress of those Grievances mentioned in the

Remonstrance, so We have not had a greater Motive for the passing those Laws then Our own resolution (grounded upon Our Observation and understanding the state of Our Kingdom) to have freed Our Subjects for the future from those Pressures which were grievous to them, if those Laws had not been propounded, which therefore We shall as inviolably maintain as We look to have Our own Rights preserved, not doubting but all Our loving Subjects will look on those Remedies with that full gratitude and affection, that even the memory of what they have formerly undergone by the Accidents and necessities of those times will not be unpleasant to them : and possibly in a pious sense of God's blessing upon this Nation (how little share soever We shall have of the acknowledgement) they will confess they have enjoyed a great measure of happiness (even these last sixteen years) both in Peace and Plenty, not onely comparatively in respect of their Neighbours, but even of those times which were justly accounted Fortunate.

The Fears and Jealousies which may make some impression in the mindes of Our People We will suppose may be of two sorts; either for Religion, or Liberty and their Civil Interests. The Fears for Religion may haply be, not onely as Ours here established may be invaded by the *Romish* partie, but as it is accompanied with some Ceremonies, at which some tender Consciences really are or pretend to be scandalized; for of any other, which have been used without any legal Warrant or Injunction, and already are or speedily may be abolished, We shall not speak.

Concerning Religion, as there may be any suspicion of favour or inclination to the Papists, We are willing to declare to all the world, That as We have been from Our Childehood brought up in, and practised the Religion now established in this Kingdom, so it is well known, We have (not contented simply with the Principles of Our Education) given a good proportion of Our time and pains to the examination of the grounds of this Religion, as it is different from that of *Rome*; and are from Our Soul so fully satisfied and assured that it is the most pure and agreeable to the Sacred Word of God of any Religion now practised in the Christian world, that as We believe We can maintain the same by unanswerable reasons, so We hope We should readily seal to it by the effusion of Our Blood, if it
pleased

pleased God to call Us to that sacrifice. And therefore nothing can be so acceptable unto Us as any Proposition which may contribute to the advancement of it here, or the propagation of it abroad, being the onely means to draw down a Blessing from God upon Our selves and this Nation. And We have been extremely unfortunate, if this profession of Ours be wanting to Our People; Our constant practice in Our own Person having alwayes been (without ostentation) as much to the evidence of Our Care and Duty herein, as We could possibly tell how to express.

For differences amongst our selves for matters indifferent in their own nature concerning Religion, We shall, in tenderness to any number of Our loving Subjects, very willingly comply with the Advice of Our Parliament, that some Law may be made for the exemption of Tender Consciences from punishment or prosecution for such Ceremonies and in such cases which by the judgement of most men are held to be matters indifferent, and of some to be absolutely unlawful. Provided that this ease be attempted and pursued with that modesty, temper and submission, that in the mean time the Peace and Quiet of the Kingdom be not disturbed, the Decency and comeliness of God's Service discountenanced, nor the pious, sober and devout actions of those Reverend Persons who were the first labourers in the blessed Reformation, or of that time, be scandal'd and defamed. For We cannot without grief of heart, and without some tax upon Our Self and Our Ministers for the not execution of Our Laws, look upon the bold Licence of some men, in printing of Pamphlets, in preaching and printing of Sermons, so full of bitterness and malice against the present Government, against the Laws established, so full of Sedition against Our Self and the Peace of the Kingdom, that We are many times amazed to consider by what Eyes these things are seen, and by what Ears they are heard. And therefore VVe have good cause to command, as VVe have done, and hereby do, all Our Judges and Ministers of Justice, Our Attorney and Sollicitor General, and the rest of Our learned Counsel, to proceed with all speed against such and their Abettors, who either by writing or words have so boldly and maliciously violated the Laws, disturbed the peace of the Commonwealth, and, as much as in them lies, shaken the very foundation upon which

that Peace and Happiness is founded and constituted. And We doubt not but all Our loving Subjects will be very sensible that this busie, virulent demeanour, is a fit Prologue to nothing but Confusion; and if not very seasonably punished and prevented, will not only be a blemish to that wholesome Accommodation We intend, but an unspeakable scandal and imputation even upon the Profession and Religion of this Our Kingdom of *England*.

Concerning the Civil Liberties and Interest of Our Subjects We shall need to say the less, having erected so many lasting Monuments of Our Princely and Fatherly care of Our People in those many excellent Laws passed by Us this Parliament, which in truth (with very much content to Our Self) We conceive to be so large and ample, that very many sober men have very little left to wish for.

We understood well the Right and pretences of Right We departed from in the consenting to the Bills of the Triennial Parliament, for the Continuance of this present Parliament, and in the Preamble to the Bill of Tonnage and Poundage; the matter of which having begot so many disturbances in late Parliaments, We were willing to remove, that no Interest of Ours might hereafter break that correspondence, abundantly contenting Our self with an Assurance (which We still have) that We should be repaired and supplied by a just proportion of Confidence, Bounty, and Obedience of Our People. In the Bills for the taking away the High-Commission and Star-chamber Courts We believed We had given that real satisfaction, that all jealousies and apprehensions of arbitrary pressures under the Civil or Ecclesiastical State would easily have been abandoned, especially when they saw all possible doubts secured by the visitation of a Triennial Parliament.

These, and others of no mean consideration, We had rather should be valued in the hearts and affections of Our People, than in any mention of Our own; not doubting but as We have taken all these occasions to render their condition most comfortable and happy, so they will always, in a grateful and dutiful relation, be ready with equal tenderness and alacrity to advance Our Rights and preserve Our Honour, upon which their own Security and subsistence so much depends. And We will be so careful, that no particular shall

shall be presented unto Us for the compleating and establishing that Security, to which We will not with the same readiness contribute Our best assistance.

If these Resolutions be the effects of Our present Counsells, (and We take God to witness that they are such, and that all Our loving Subjects may confidently expect the benefit of them from Us) certainly no ill design upon the Publick can accompany such Resolutions, neither will there be great cause of suspicion of any Persons preferred by Us to degrees of Honour and places of Trust and imployment since this Parliament. And We must confess, that amongst Our misfortunes We reckon it not the least, That having not retained in Our Service, nor protected any one Person against whom Our Parliament hath excepted during the whole sitting of it, and having in all that time scarce vouchsafed to any man an instance of Our Grace and Favour but to such who were under some eminent character of Estimation amongst Our People, there should so soon be any misunderstanding or jealousy of their Fidelity and uprightness, especially in a time when We take all occasions to declare, that We conceive Our self onely capable of being served by honest men and in honest wayes. However, if in truth We have been mistaken in such Our election, the particular shall be no sooner discovered to Us, either by Our own observation or other certain information, then We will leave them to publick Justice under the marks of Our Displeasure.

If notwithstanding this any Malignant Party shall take heart, and be willing to sacrifice the Peace and Happiness of their Country to their own sinister ends and ambitions, under what pretence of Religion and Conscience soever; if they shall endeavour to lessen Our Reputation and Interest, and to weaken Our lawful Power and Authority with Our good Subjects; if they shall go about, by discountenancing the present Laws, to loosen the bonds of Government, that all Disorder and Confusion may break in upon Us; We doubt not but God in his good time will discover them unto Us, and the wisdom and courage of Our High Court of Parliament joyn with Us in their suppression and punishment.

Having now said all that We can to express the clearness and uprightness of Our Intentions to Our People, and done all We can to

manifest those Intentions, We cannot but confidently believe all Our good Subjects will acknowledge Our part to be fully performed, both in Deeds past and present Resolutions, to doe whatsoever with Justice may be required of Us, and that their quiet and prosperity depends now wholly upon themselves, and is in their own power, by yielding all obedience and due reverence to the Law, which is the inheritance of every Subject, and the onely security he can have for his Life, Liberty or Estate, and the which being neglected or disesteemed (under what specious shews soever) a great measure of Infelicity, if not an irreparable Confusion, must without doubt fall upon them. And We doubt not it will be the most acceptable Declaration a King can make to His Subjects, that for Our part We are resolved not onely duly to observe the Laws Our Self, but to maintain them against what opposition soever, though with the hazard of Our Being.

And Our hope is, that not onely the Loyalty and good Affections of all Our loving Subjects will concur with Us in the constant preserving a good understanding between Us and Our People, but at this time their own and Our Interest, and compassion of the lamentable condition of Our poor Protestant Subjects in *Ireland*, will invite them to a fair intelligence and Unity amongst themselves; that so We may with one heart intend the relieving and recovering that unhappy Kingdom, where those barbarous Rebels practise such inhumane and unheard-of Outrages upon Our miserable people, that no Christian eare can hear without horroür, nor Story parallel. And as We look upon this as the greatest affliction it hath pleased God to lay upon Us; so Our unhappiness is increased, in that by the Distempers at home so early remedies have not been applyed to those growing evils as the expectation and necessity there requires: though for Our part, as We did upon the first notice acquaint Our Parliament of *Scotland* (where We then were) with that Rebellion, requiring their aid and assistance, and gave like speedy intimation and recommendation to Our Parliament here; so since Our return hither, We have been forward to all things which have been proposed to Us towards that Work, and have lately Our Self offered (by a Message to Our House of Peers, and communicated to Our House of Commons) to take upon Us the care to raise speedily
ten

ten thousand *English* Voluntiers for that Service, if the House of Commons shall declare that they will pay them. Which particulars We are (in a manner) necessitated to publish, since We are informed that the Malice of some persons hath whispered it abroad, That the no speedier advancing of this business hath proceeded from some want of alacrity in Us to this great Work; whereas We acknowledge it a high crime against Almighty God, and inexcusable to Our good Subjects of Our three Kingdoms, if We did not to the utmost imploy all Our powers and faculties to the speediest and most effectual assistance and protection of that distressed People.

And We shall now conjure all Our good Subjects (of what degree soever) by all the Bonds of Love, Duty or Obedience, that are precious to good men, to joyn with Us for the recovery of the Peace of that Kingdom, and the preservation of the Peace of this; to remove all their Doubts and Fears, which may interrupt their Affection to Us, and all their Jealousies and apprehensions, which may lessen their Charity to each other: and then (if the Sins of this Nation have not prepared an inevitable Judgement for us all) God will yet make Us a Great and a Glorious King over a Free and Happy People.

To the Kings most Excellent Majesty, and the Lords and Peers now assembled in Parliament,

The humble PETITION and PROTESTATION of all the Bishops and Prelates now called by His Majesties Writs to attend the Parliament, and present about London and Westminster for that service. MDCXLI.

That whereas the Petitioners are called up by several and respective Writs, and under great Penalties, to attend in Parliament, and have a clear and indubitate Right to vote in Bills and other matters whatsoever debatable in Parliament, by the Ancient Customes, Laws and Statutes of this Realme, and ought to be protected by Your Majesty, quietly to attend and prosecute that great Service:

They humbly remonstrate and protest before God, Your Majesty, and the Noble Lords and Peers now assembled in Parliament, That as they have an indubitate Right to sit and vote in the House of the Lords, so are they (if they may be protected from Force and Violence) most ready and willing to perform their Duties accordingly: and that they do abominate all Actions or Opinions tending to Popery, and the maintenance thereof; as also all propension and inclination to any Malignant party, or any other side or party whatsoever, to the which their own Reasons and Consciences shall not move them to adhere.

The Protestation of the Bishops.

But whereas they have been at several times violently Menaced, Affronted, and Assaulted by multitudes of people, in their coming to perform their services in that Honourable House, and lately chased away, and put in danger of their lives, and can find no redress or protection, upon sundry complaints made to both Houses in these particulars :

They likewise humbly protest before Your Majesty and the Noble House of Peers, That saving unto themselves all their Rights and Interests of Sitting and Voting in that House at other times, they dare not Sit or Vote in the House of Peers, untill Your Majesty shall further secure them from all Affronts, Indignities and Dangers in the premisses.

Lastly, Whereas their Fears are not built upon Phantasies and Conceits, but upon such Grounds and Objects as may well terrifie men of good Resolutions and much Constancy ; they do in all humility protest before Your Majesty and the Peers of that most Honourable House of Parliament, against all Laws, Orders, Votes, Resolutions and Determinations, as in themselves Null and of none effect, which in their absence, since the twenty seventh of this instant Moneth of *December 1641.* have already passed ; as likewise against all such as shall hereafter pass in that most Honourable House, during the time of this their forced and violent absence from the said most Honourable House : Not denying, but if their absenting of themselves were wilfull and voluntary, that most Honourable House might proceed in all these premisses, their Absence or this their Protestation notwithstanding.

And humbly beseeching Your most Excellent Majesty to command the Clerk of that House of Peers to enter this their Petition and Protestation among his Records,

They will ever pray to God to blefs
and preserve, &c.

Jo. Eborac.
Thomas Duresme.
Rob. Co. Lich.
Jos. Norwich.
Jo. Asaphen.
Guil. Ba. & Wells.

Geo. Hereford.
Rob. Oxon.
Mat. Ely.
Godfr. Glouc.
Jo. Peterburg.
Mor. Llandaff.

Articles

ARTICLES of HIGH TREASON, and other ^{MDCXLI}
High Misdemeanours, against the Lord Kimbolton, ^{Jan. 3.}
Mr. Denzil Hollis; Sir Arthur Heselrig, Mr. John
Pym, Mr. John Hamden, and Mr. William Stroude.

I.

THAT they have traitorously endeavoured to subvert the Fundamental Laws and Government of the Kingdome of *England*, to deprive the King of His Regal Power, and to place in Subjects an Arbitrary and Tyrannical power over the Lives, Liberties, and Estates of His Majesties Liege People.

II.

That they have traitorously endeavoured, by many foul Aspersions upon His Majesty and His Government, to alienate the Affections of His People, and to make His Majesty odious unto them.

III.

That they have endeavoured to draw His Majesties late Army to disobedience to His Majesties Commands, and to side with them in their Traitorous Designs.

IV.

That they have traitorously invited and encouraged a forein Power to invade His Majesties Kingdome of *England*.

V.

That they have traitorously indeavoured to subvert the Rights and very Being of Parliaments.

VI.

That for the compleating of their Traitorous Designs they have indeavoured (as far as in them lay) by force and Terror to compel the Parliament to joyne with them in their Traitorous Designs, and to that end have actually raised and countenanced Tumults against the King and Parliament.

VII.

That they have traitorously conspired to levy, and actually have levied Warre against the King.

Propositions

MDC XLII. **PROPOSITIONS** made by both Houses of Parliament to the KINGS
Jun. 2. *Majestie, for a Reconciliation of the Differences between His Majestie and
the said Houses.*

YOUR Majesties most humble and faithful Subjects, the Lords and Commons in Parliament, having nothing in their thoughts and desires more pretious and of higher esteem (next to the Honour and immediate Service of God) then the just and faithful performance of their Duty to Your Majestie and this Kingdome; and being very sensible of the great Distractions and Distempers, and of the imminent Dangers and Calamities which those Distractions and Distempers are like to bring upon Your Majestie and Your Subjects, all which have proceeded from the subtil Insinuations, mischievous Practices, and evil Counsels of men disaffected to God's true Religion, Your Majesties Honour and Safety, and the publick Peace and Prosperity of Your People; after a serious observation of the Causes of those Mischiefs, do in all humility and sincerity present to Your Majesty their most dutiful Petition and Advice, That out of Your Princely Wisdome, for the establishing Your own Honor and Safety, and gracious tenderness of the welfare and security of Your Subjects and Dominions, You will be pleased to grant and accept these their humble Desires and Propositions, as the most necessary effectual means, through God's blessing, of removing those Jealousies and Differences which have unhappily fallen betwixt You and Your People, and procuring both Your Majesty and them a constant course of Honour, Peace and Happiness.

I. That the Lords and others of Your Majesties Privy Council, and such great Officers and Ministers of State, either at home or beyond the seas, may be put from Your Privy Council, and from those Offices and imployments, excepting such as shall be approved of by both Houses of Parliament. And that the persons put into the places and imployments of those that are removed may be approved of by both Houses of Parliament. And that all Privie-Councillours shall take an Oath for the due execution of their places, in such form as shall be agreed upon by both Houses of Parliament.

II. That the great Affairs of this Kingdome may not be concluded or transacted by the advice of private men, or by any unknown or unsworn Counsellors; but that such matters as concern the publick, and are proper for the High Court of Parliament, which is Your Majesties great and supreme Council, may be debated, resolved, and transacted only in Parliament, and not elsewhere; and such as shall presume to doe any thing to the contrary, shall be reserved to the censure and judgment of Parliament: And such other matters of State as are proper for Your Majesties Privy Council, shall be debated and concluded by such of the Nobility and others as shall from time to time be chosen for that place by approbation of both Houses of Parliament. And that no publick Act concerning the affairs of the Kingdome, which are proper for Your Privy Council, may be esteemed of any validity as proceeding from the Royall Authority, unless it be done by the advice and consent of the major part of Your Council attested under their hands. And that Your Council may be limited to a certain number, not exceeding twenty five, nor under fifteen. And if any Counsellors place happen to be void in the Intervals of Parliament, it shall not be supplied without the assent of the major part of the Council; which choice shall be confirmed at the next sitting of the Parliament, or else to be void.

III. That the Lord *High Steward of England*, Lord *High Constable*, Lord *Chancellor*, or Lord *Keeper* of the Great Seal, Lord *Treasurer*, Lord *Privy-Seal*, Earle *Marshal*, Lord *Admiral*, *Warden* of the *Cinque-Ports*, chief Governor of *Ireland*, *Chancellor* of the *Exchequer*, Master of the *Wards*, *Secretaries of State*, two *Chief Justices*

Justices and *Chief Baron*, may alwaies be chosen with the approbation of both Houses of Parliament; and in the Intervals of Parliament, by assent of the major part of the Council, in such manner as is before exprest in the choice of Counsellours.

IV. That he or they unto whom the government and education of the King's Children shall be committed, shall be approved of by both Houses of Parliament, and in the Intervalls of Parliaments, by the assent of the major part of the Council, in such manner as is before exprest in the choice of Counsellours: And that all such Servants as are now about Them, against whom both Houses shall have any just exception, shall be removed.

V. That no Marriage shall be concluded or treated for any of the King's Children, with any forein Prince, or other person whatsoever abroad or at home, without the consent of Parliament, under the penalty of a *Premunire* unto such as shall so conclude or treat any Marriage as aforesaid; and that the said Penalty shall not be pardoned or dispensed with, but by the consent of both Houses of Parliament.

VI. That the Laws in force against *Jesuites*, *Priests* and *Popish Recusants*, be strictly put in execution, without any toleration, or dispensation to the contrary; and some more effectual course may be enacted by authority of Parliament, to disable them from making any disturbance in the State, or eluding the Law by trusts or otherwise.

VII. That the Votes of Popish Lords in the House of Peers may be taken away, so long as they continue Papists: And that His Majesty would consent to such a Bill as shall be drawn, for the Education of the Children of Papists by Protestants in the Protestant Religion.

VIII. That Your Majesty will be pleased to consent that such a Reformation be made in the Church-Government and Liturgy as both Houses of Parliament shall advise, wherein they intend to have consultations with Divines, as is expressed in their Declaration to that purpose. And that Your Majesty will contribute Your best assistance to them, for the raising of a sufficient maintenance for Preaching Ministers through the Kingdome. And that Your Majesty will be pleased to give Your consent to Laws for the taking away of Innovations and Superstition, and of Pluralities, and against Scandalous Ministers.

IX. That Your Majestie will be pleased to rest satisfied with that course that the Lords and Commons have appointed for ordering the *Militia*, untill the same shall be further settled by a Bill: And that Your Majesty will recall Your Declarations and Proclamations against the Ordinance made by the Lords and Commons concerning it.

X. That such Members of either House of Parliament as have during this present Parliament been put out of any Place and Office, may either be restored to that Place and Office, or otherwise have satisfaction for the same, upon the Petition of that House whereof he or they are Members.

XI. That all Privie-Counsellours and Judges may take an Oath, the form whereof to be agreed on and settled by Act of Parliament, for the maintaining of the Petition of Right, and of certain Statutes made by this Parliament which shall be mentioned by both Houses of Parliament. And that an inquiry of all the breaches and violations of these Laws may be given in charge by the Justices of the King's Bench every Terme, and by the Judges of Assize in their Circuits, and Justices of Peace at the Sessions, to be presented and punished according to Law.

XII. That all the Judges and all Officers placed by approbation of both Houses of Parliament, may hold their places *Quam diu bene se gesserint*.

XIII. That

XIII. That the Justice of Parliament may pass upon all Delinquents, whether they be within the Kingdome or fled out of it: And that all persons cited by either House of Parliament may appear and abide the censure of Parliament.

XIV. That the General Pardon offered by Your Majesty may be granted with such Exceptions as shall be advised by both Houses of Parliament.

XV. That the Forts and Castles of this Kingdome may be put under the Command and Custody of such persons as Your Majesty shall appoint with the approbation of Your Parliament; and in the Intervals of Parliament, with the approbation of the major part of the Councill, in such manner as is before expressed in the choice of Counsellours.

XVI. That the extraordinary Guards and Military Forces now attending Your Majesty may be removed and discharged: And that for the future You will raise no such Guards or extraordinary Forces, but according to Law, in case of actual Rebellion or Invasion.

XVII. That Your Majesty will be pleased to enter into a more strict Alliance with the States of the United Provinces, and other neighbour-Princes and States of the Protestant Religion, for the defence and maintenance thereof against all designs and attempts of the Pope and his adherents to subvert and suppress it; whereby Your Majesty will obtain a great access of strength and reputation, and Your Subjects be much encouraged and enabled in a Parliamentary way for Your aide and assistance, in restoring Your Royal Sister and the Princely Issue to those Dignities and Dominions which belong unto them, and relieving the other distressed Protestant Princes, who have suffered in the same Cause.

XVIII. That Your Majesty will be pleased by Act of Parliament, to clear the Lord *Kimbolton* and the Five Members of the House of Commons in such manner that future Parliaments may be secured from the consequence of that evil Precedent.

XIX. That Your Majesty will be graciously pleased to pass a Bill for restraining Peers made hereafter from sitting or voting in Parliament, unless they be admitted thereunto with the Consent of both Houses of Parliament.

And these our humble desires being granted by Your Majesty, we shall forthwith apply our selves to regulate Your present Revenue in such sort as may be for Your best advantage, and likewise to settle such an ordinary and constant increase of it as shall be sufficient to support Your Royal Dignity in Honour and Plenty, beyond the proportion of any former grants of the Subjects of this Kingdome to Your Majesties Royal Predecessors. We shall likewise put the Town of *Hull* into such hands as Your Majesty shall appoint with the consent and approbation of Parliament, and deliver up a just account of all the Magazine; and chearfully imploy the uttermost of our power and endeavour in the real expression and performance of our most dutiful and loyal Affections, to the preserving and maintaining the Royall Honour, Greatness and Safety of Your Majesty and Your Posterity.

Die Fovis 2 die Junii, 1642.

Ordered by the Lords in Parliament, that these Propositions shall be forthwith Printed and published.

Jo. Brown Cleric. Parliamentorum.

His

His MAJESTIES Answer to the Nineteen Propositions of both Houses of Parliament.

BEfore We shall give you Our Answer to your Petition and Propositions, We shall tell you, that We are now clearly satisfied why the Method which We traced out to you by Our Message of the 20th of *January*, and have since so often pressed upon you, as the proper way to compose the Distractions of this Kingdom, and render it truly happy, hath been hitherto declined, and is at length thought fit to be looked upon ; We now see plainly (and desire that you and all other Our good Subjects should do so too) that the Cabalists of this business have with great Prudence reserved themselves, until due preparations should be made for their Designe.

If they had unseasonably vented such Propositions as the Wisdom and Modestie of your Predecessours never thought fit to offer to any of Our Progenitours, nor We in honour or regard to Our Regal Authority (which God hath entrusted Us with for the good of Our People) could receive without just indignation, (and such many of your present Propositions are) their hopes would soon have been blasted, and those Persons to whom Offices, Honours, Power and Commands were designed, by such ill timing of their business would have failed of their expectation, not without a brand upon the attempt. Therefore before any of this nature should appear, they have (certainly with great wisdom in the conduct of it) thought fit to remove a troublesome Rub in their way, *the Law* : To this end, (that they might undermine the very foundations of it) a new Power hath been assumed to interpret and declare Laws without Us by extemporary Votes, without any Case judicially before either House, (which is in effect the same thing as to make Laws without Us ;) Orders and Ordinances made onely by both Houses (tending to a pure Arbitrary power) were pressed upon the people as Laws, and their obedience required to them.

Their next step was, to erect an upstart Authoritie without Us, (in whom, and onely in whom, the Laws of this Realm have placed that Power) to command the *Militia*, (very considerable to this their

(I)

Designe.)

Designe.) In further order to it they have wrested from Us Our Magazin and Town of *Hull*, and bestridde Sir *John Hotham* in his bold-faced Treason: they have prepared and directed to the People unprecedented Invectives against Our Government, thereby (as much as lay in their power) to weaken Our just Authority and due esteem among them: they have as injuriously as presumptuously (though VVe conceive by this time Impudence it self is ashamed of it) attempted to cast upon Us aspersions of an unheard-of nature, as if We had favoured a Rebellion in Our own Bowels: they have likewise broached new Doctrine, *That We are obliged to pass all Laws that shall be offered to Us by both Houses* (howsoever Our own Judgement and Conscience shall be unsatisfied with them) a point of Policy as proper for their present business, as destructive to all Our Rights of Parliament; and so with strange shamelesness will forget a Clause in a Law still in force, made in the second year of King *H.5.* wherein both Houses of Parliament do acknowledge, *That it is of the Kings Regality to grant or deny such of their Petitions as pleaseth Himself*: they have interpreted Our necessary Guard, legally assembled for the Defence of Us and Our Childrens Persons against a Traitour in open Rebellion against Us, to be *with intent to levie War against Our Parliament*, (the thought whereof Our very Soul abhorreth) thereby to render Us odious to Our People.

They have so awed Our good Subjects with Pursivants, long chargeable Attendance, heave Censures and illegal Imprisonments, that few of them durst offer to present their tendernefs of Our Sufferings, their own just Grievances, and their sense of those violations of the Law, (the Birthright of every Subject of this Kingdom) though in an humble Petition directed to both Houses; and if any did, it was stifled in the Birth, called *Sedition*, and burnt by the common Hangman.

They have restrained the Attendance of Our ordinary and necessary Household-servants, and seized upon those small sums of Money which Our Credit had provided to buy Us Bread, with Injunctions that none shall be suffered to be conveyed or returned to Us to *York*, or any of Our Peers or Servants with Us; so that (in effect) they have blocked Us up in that County.

They have filled the ears of the People with the noise of Fears
and

and Jealousies, (though taken up upon trust) tales of Skippers, Salt-Fleets, and such like; by which Alarms they might prepare them to receive such impressions as might best advance this Designe when it should be ripe. And now it seems they think We are sufficiently prepared for these bitter Pills, We are in a handsome Posture to receive these *Humble Desires*, (which probably are intended to make way for a Superfoetation of a (yet) higher nature, (if We had not made this discovery to you) for they do not tell Us this is all.) In them We must observe that these Contrivers (the better to advance their true ends) disguised as much as they could their intents with a mixture of some things really to be approved by every honest man, others specious and popular, and some which are already granted by Us: All which are cunningly twisted and mixed with those other things of their main Designe of Ambition and private Interest; in hope that at the first view every eye may not so clearly discern them in their proper colours.

We would not be understood, that We intend to fix this Designe upon both or either House of Parliament; We utterly profess against it, being most confident of the Loyalty, good Affections and Integrity of the intentions of that great Body, and knowing well that very many of both Houses were absent, and many dissented from all those particulars We complain of. But We do believe, and accordingly profess to all the world, that the Malignity of this Designe (as dangerous to the Laws of this Kingdom, the Peace of the same, and the Liberties of all Our good Subjects, as to Our Self and Our just Prerogative) hath proceeded from the subtil Informations, mischievous Practices and evil Counsels of ambitious turbulent Spirits, disaffected to God's true Religion and the Unity of the Professors thereof, Our Honour and Safety, and the publick Peace and Prosperity of Our People, not without a strong influence upon the very actions of both Houses. But how faulty soever others are, We shall (with God's assistance) endeavour to discharge Our Duty with uprightness of heart: and therefore since these Propositions come to Us in the name of both Houses of Parliament, We shall take a more particular notice of every of them.

If the 1, 2, 3, 4, 5, 9, 10, 15, 16, 19. Demands had been writ and printed in a tongue unknown to Us and Our People, it might have

been possible We and they might have charitably believed the Propositions to be such as might have been in order to the ends pretended in the Petition, (to wit) *the establishing of Our Honour and Safety, the Welfare and Security of Our Subjects and Dominions, and the removing those Jealousies and Differences which are said to have unhappily fallen betwixt Us and Our People, and procuring both Us and them a constant course of Honour, Peace and Happiness.* But being read and understood by all, We cannot but assure Our Self that this Profession joyned to these Propositions will rather appear a Mockery and a Scorn; the Demands being such, as We were unworthy of the Trust reposed in Us by the Law, and of Our Descent from so many great and famous Ancestours, if We could be brought to abandon that Power which onely can enable Us to perform what We are sworn to, in protecting Our People and the Laws, and so assume others into it, as to devest Our Self of it; although not onely Our present Condition (which it can hardly be) were more necessitous then it is, and We were both vanquish'd and a Prisoner, and in a worse condition then ever the most unfortunate of Our Predecessours have been reduced to by the most criminal of their Subjects; and though the Bait laid to draw Us to it, and to keep Our Subjects from indignation at the mention of it, the promises of a plentiful and unparallel'd Revenue, were reduced from generals (which signifie nothing) to clear and certain particulars: since such a Bargain would have but too great a resemblance of that of *Esau's*, if We should part with such Flowers of Our Crown as are worth all the rest of the Garland, and have been transmitted to Us from so many Ancestours, and have been found so useful and necessary for the Welfare and Security of Our Subjects, for any present Necessity, or for any low and sordid considerations of Wealth and Gain. And therefore all men knowing that those Accommodations are most easily made, and most exactly observed that are grounded upon reasonable and equal Conditions, We have great cause to believe that the Contrivers of these had no intention of settling any firm Accommodation, but to increase those Jealousies, and widen that Division which (not by Our fault) is now unhappily fallen between Us and both Houses.

It is asked, *That all the Lords and others of Our Privy Councell, and such* (We know now what you mean by *such*, but We have cause to think
you

you mean all) great Officers and Ministers of State, either at home or beyond the Seas, (For care is taken to leave out no Person or Place, that Our Dishonour may be sure not to be bounded within this Kingdome, though no subtile Insinuations at such a distance can probably be believed to have been the cause of our Distractions and Dangers) should be put from Our Privie Council, and from those Offices and imployments, unless they be approved by both Houses of Parliament, how faithfull soever We have found them to Us and the publick, and how far soever they have been from offending against any Law, the only rule they had, or any others ought to have, to walk by. We therefore to this part of this Demand return you this Answer, That We are willing to grant that they shall take a larger Oath then you your selves desire in your Eleventh Demand, for maintaining not of any part, but of the whole Law; and We have, and do assure you, That We will be careful to make election of such Persons in those places of trust, as shall have given good testimonies of their abilities and integrities, and against whom there can be no just cause of exception, whereon reasonably to ground a diffidence: That if We have or shall be mistaken in Our election, We have and do assure you, that there is no man so near to Us in place or affection, whom We will not leave to the Justice of the Law, if you shall bring a particular charge and sufficient proofs against him; and that We have given you (the best pledge of the effects of such a promise on Our part, and the best security for the performance of their duty on theirs) a *Triennial Parliament*, the apprehension of whose Justice will in all probability make them wary how they provoke it, and Us wary how We chuse such as by the discovery of their faults may in any degree seem to discredit Our Election. But that without any shadow of a Fault objected, only perhaps because they follow their Conscience, and preserve the established Laws, and agree not in such Votes, or assent not to such Bills, as some persons, who have now too great an Influence even upon both Houses, judge, or seem to judge, to be for the publick good, and as are agreeable to that new *Utopia* of Religion and Government into which they endeavour to transform this Kingdom; (for We remember what names, and for what Reasons, you left out in the Bill offered Us concerning the *Militia*, which you had your selves recommended in the

Ordinance) We will never consent to the displacing of any whom for their former Merits from, and Affection to Us and the publick, We have intrusted, since We conceive that to doe so, would take away both from the affection of Our Servants, the care of Our Service, and the Honour of Our Justice. And We the more wonder that it should be ask'd by you of Us, since it appears by the Twelfth Demand, That your selves count it reasonable, after the present turn is served, *that the Judges and Officers who are then placed may hold their places quamdiu se bene gesserint.* And We are resolved to be as careful of those We have chosen, as you are of those you would chuse, and to remove none, till they appear to Us to have otherwise behaved themselves, or shall be evicted by Legal proceedings to have done so.

But this Demand (as unreasonable as it is) is but one link of a great Chain, and but the first round of that Ladder by which Our Just, Ancient, Regal Power is endeavoured to be fetched down to the ground. For it appears plainly, that it is not with the Persons now chosen, but with Our chusing, that you are displeased: For you demand, *That the persons put into the places and employments of those who shall be removed may be approved by both Houses;* which is so far (as to some it may at first sight appear) from being less then the power of nomination, that of two things (of which We will never grant either) We would sooner be content that you should nominate and We approve, then you approve and We nominate; the mere nomination being so far from being any thing, that if We could doe no more, We would never take the paines to doe that, when We should only hazard those whom We esteemed to the scorn of a refusal, if they happened not to be agreeable not only to the Judgement, but to the Passion, Interest or Humor of the present major part of either House. Not to speak now of the great factions, animosities and divisions which this power would introduce in both Houses, between both Houses, and in the several Countries, for the choice of persons to be sent to that place where that power was, and between the persons that were so chosen. Neither is this strange Potion prescribed to Us only for once, for the cure of a present, pressing, desperate disease, but for a Diet to Us and Our Posterity: It is demanded, *That Our Councillors, all Chief Officers both*
of

of Law and State, Commanders of Forts and Castles, and all Peers hereafter made (as to voting, without which how little is the rest ?) be approved of (that is, chosen) by them from time to time ; and rather then it should ever be left to the Crown (to whom it onely doth and shall belong) if any place fall void in the intermission of Parliament, the major part of the approved Councel is to approve them. Neither is it only demanded, that We should quit the Power and Right our Predecessors have had of appointing Persons in these places, but for Councellors We are to be restrained as well in the Number as in the Persons, and a power must be annext to these places which their Predecessors had not : And indeed if this power were past to them, it were not fit VVe should be trusted to chuse those who were to be trusted as much as We.

It is demanded, That such matters as concern the publick, and are proper for the High Court of Parliament, (which is Our Great and Supreme Councel) may be debated, resolved and transacted onely in Parliament, and not elsewhere ; and such as presume to doe any thing to the contrary shall be reserved to the Censure and Judgement of the Parliament : and such other matters of State as are proper for Our Privy Councel, shall be debated and concluded by such of Our Nobility (though indeed, if being made by Us they may not vote without the Consent of both Houses, We are rather to call them your Nobility) and others, as shall be from time to time chosen for that place by approbation of both Houses of Parliament ; and that no publick Act concerning the affairs of the Kingdome which are proper for Our Privie Councel, may be esteemed of any validity as proceeding from the Royal Authority, unless it be done by the Advice and Consent of the major part of Our Councel, attested under their hands. Which Demands are of that nature, that to grant them were in effect at once to depose both Our Self and Our Posterity.

These being past, We may be waited on bare-headed ; We may have Our hand kist, the style of Majesty continued to Us, and the Kings Authority, declared by both Houses of Parliament, may be still the style of your Commands ; We may have Swords and Maces carried before Us, and please Our Self with the sight of a Crown and Scepter, (and yet even these Twigs would not long flourish, when the Stock upon which they grew were dead :) but as to true and real Power We should remain but the outside, but the Picture,

but the Signe of a King. We were ever willing that Our Parliament should debate, resolve, and transact such matters as are proper for them, as far as they are proper for them: and We heartily wish, that they would be as careful not to extend their Debates and Resolutions beyond what is proper to them, that multitudes of things punishable and Causes determinable by the ordinary Judicatures may not be entertained in Parliament, and so cause a long, chargeable, fruitless attendance of Our People, and (by degrees) draw to you as well all the Causes as all the faults of *Westminster-Hall*, and divert your proper Business: That the course of Law be no wayes diverted, much less disturbed, as was actually done by the stop of the proceedings against a Riot in *Southwark* by Order of the House of Commons, in a time so riotous and tumultuous, as much increased the danger of Popular Insolencies by such a countenance to Riots and discountenance of Law: That you descend not to the leisure of recommending Lecturers to Churches, nor ascend to the Legislative power, by commanding (the Law not having yet commanded it) that they whom you recommend be received, although neither the Parson nor Bishop do approve of them; and that the Refusers (according to the course so much formerly complained of to have been used at the Council Table) be not sent for to attend to shew cause; at least that you would consider Convenience, if not Law, and recommend none but who are well known to you to be Orthodox, Learned and Moderate, or at least such as have taken Orders, and are not notorious depravers of the Book of Common-Prayer; a care which appeareth by the Discourses, Sermons and Persons of some recommended by you, not to have been hitherto taken, and it highly concerns both you in duty, and the Commonwealth in the consequences, that it should have been taken: That neither one Estate transact what is proper for two, nor two what is proper for three; and consequently, that (contrary to Our declared will) Our Forts may not be seized, Our Arms may not be removed, Our Moneys may not be stop'd, Our legal Directions may not be countermanded by you, nor We desired to countermand them Our Self, nor such entrances made upon a real War against Us upon pretence of an imaginary War against you, and a *Chimera* of Necessity. So far do you pass beyond your limits, whilest

whilest you seem by your Demand to be strangely freightned within them. At least We could have wish'd you would have expressed what matters you meant as *fit to be transacted onely in Parliament*, and what you meant by *onely in Parliament*. You have (of late) been perswaded by the new doctrines of some few, to think that proper for your debates which hath not used to be at all debated within those walls, but been trusted wholly with Our Predecessors and Us, and to transact those things which without the Regal Authority, since there were Kings of this Kingdom, were never transacted: It therefore concerns Us the more that you speak out, and that both We and Our People may either know the bottom of your Demands, or know them to be bottomless. What concerns more the Publick, and is more (indeed) proper for the high Court of Parliament, then the making of Laws? which not only ought there to be transacted, but can be transacted no where else: but then you must admit Us to be a part of the Parliament, you must not (as the sense is of this part of this Demand, if it have any) deny the freedom of Our Answer, when We have as much right to reject what We think unreasonable as you have to propose what you think convenient or necessary; nor is it possible Our Answers either to Bills or any other Propositions should be wholly free, if We may not use the Liberty of every one of you, and of every Subject, and receive advice (without their danger who shall give it) from any person known or unknown, sworn or unsworn, in these matters in which the manage of Our Vote is trusted by the Law to Our own Judgement and Conscience, which how best to inform is (and ever shall be) left likewise to Us: and most unreasonable it were that two Estates proposing something to the third, that third should be bound to take no advice whether it were fit to pass, but from those two that did propose it. We shall ever in these things which are trusted wholly to Us by the Law, not decline to hearken to the Advice of Our great Council, and shall use to hear willingly the free debates of Our Privie Council (whensoever We may be suffered to have them for sending for, and they shall not be terrified from that freedom by Votes, and Brands of Malignants and Enemies to the State, for advising what no Law forbids to advise:) but We will retain Our power of admitting no more to any
Council

Counsel then the nature of the business requires, and of discourfing with whom We please, of what We please, and informing Our Understanding by debate with any Persons who may be well able to inform and advise Us in some particular, though their Qualities, Education or other Abilities may not make them so fit to be of Our sworn Council, and not tye Our Self up not to hear any more then twenty five (and those not chosen absolutely by Us) out of a Kingdom so replenished with Judicious and experienced Persons in several kinds. And though We shall (with the proportionable Consideration due to them) alwayes weigh the Advices both of Our Great and Privy Council, yet We shall also look upon their Advices as Advices, not as Commands or Impositions ; upon them as Our Counsellours, not as Our Tutors and Guardians ; and upon Our Self as their King, not as their Pupill or Ward. For whatsoever of Regality were by the Modesty of interpretation left in Us in the first part of the Second Demand, as to the Parliament, is taken from Us in the second part of the same, and placed in this new-fangled kinde of Counsellours, whose power is such and so expressed by it, that in all publick Acts concerning the Affairs of this Kingdom which are proper for Our Privy Council (for whose Advice all publick Acts are sometimes proper, though never necessary) they are desired to be admitted joynt-Patentees with Us in the Regality, and it is not plainly expressed whether they mean Us so much as a single Vote in these Affairs : but it is plain they mean Us no more at most then a single Vote in them, and no more power then every one of the rest of Our Fellow-Counsellours ; onely leave to Us, out of their respect and duty, (and that onely is left of all Our ancient Power) a Choice whether these that are thus to be joynd with (or rather set over) Us shall be fifteen, or twenty five ; and great care is taken that the Oath which these men shall take shall be such, in the framing the form of which (though sure We are not wholly unconcerned in it) We may be wholly excluded, and that wholly reserved to be agreed upon by both Houses of Parliament.

And to shew that no more care is taken of Our Safety then of Our Power, after so great Indignities offered to Us, and countenanced by those who were most obliged to resent them, after Our Town and Fort kept from Us (from which, if it were no otherwise

Ours

Ours then the whole Kingdom is, We can no more legally be kept out then out of Our whole Kingdom, which sure your selves will not deny to be Treason) Our Arms, Our Goods sent away, and Our Money stopt from Us, Our Guards (in which We have no other Intention then to hinder the End of these things from being proportionable to their Beginnings) are not onely desired to be dismissed before satisfaction for the Injury, punishments of the Injurers, and care taken for Our future Security from the like ; but it is likewise desired, (and for this Law is pretended, and might as well have been for the rest, which yet with some ingenuity are it seems acknowledged to be but Desires of Grace) that We shall not for the future raise any Guards or extraordinary Forces but in case of actual Rebellion or Invasion : which if it had been Law, and so observed in the time of Our famous Predecessours, few of those Victories which have made this Nation famous in other Parts could have been legally atchieved, nor could Our blessed Predecessour Queen *Elizabeth* have so defended Her self in 88. And if no Forces must be levied till Rebellions and Invasions (which will not stay for the calling of Parliaments, and their consent for raising Forces) be actual, they must undoubtedly (at least most probably) be effectual and prevalent.

And as neither care is taken for Our Rights, Honour, nor Safety as a Prince, so Our Rights as a Private person are endeavoured to be had from Us ; it being asked, that it may be unlawful and punishable, not only to *conclude*, but even to *treat of any Marriage with any Person for Our own Children*, or to place Governours about them, without consent of Parliament, and in the intermission of those, without the consent of Our good Lords of the Councell ; that We may not only be in a more despicable state then any of Our Predecessours, but in a meaner and viler condition then the lowest of Our Subjects, who value no Liberty they have more then that of the free Education and Marriage of their Children ; from which We are asked to debar Our Self, and have the more reason to take it ill that We are so, because for Our choice of a Governour for Our Son, and of a Husband for Our Daughter, (in which the Protestant Religion was Our principal Consideration) We conceived We had reason to expect your present thanks, and the increase of your future trusts.

We suppose these Demands by this time to appear such, as the
Demanders

Demanders cannot be supposed to have any such real fear of Us as hath been long pretended, they are too much in the style not only of Equals, but of Conquerours, and as little to be intended for removing of Jealousies (for which end they are said to be asked, and that is not as Merchants ask at first, much more then they will take, but as most necessary to effect it; which if they be, God help this poor Kingdom, and those who are in the hands of such persons whose Jealousies nothing else will remove:) which indeed is such a way, as if there being differences and suits between two persons, whereof one would have from the other several parcels of his ancient Land, he should propose to him by way of Accommodation, that he would quit to him all those in question, with the rest of his Estate, as the most necessary and effectual means to remove all those suits and differences. But We call God to witness, that as for Our Subjects sake these Rights are vested in Us; so for their sakes, as well as for Our own, We are resolved not to quit them, nor to subvert (though in a Parliamentary way) the ancient, equal, happy, well-poised and never-enough-commended Constitution of the Government of this Kingdom, nor to make Our Self of a King of *England* a Duke of *Venice*, and this of a Kingdom a Republick.

There being three kindes of Government amongst men, absolute Monarchy, Aristocracy and Democracy, and all these having their particular conveniences and inconveniences, the experience and wisdom of your Ancestors hath so moulded this out of a mixture of these, as to give to this Kingdom (as far as humane Prudence can provide) the conveniences of all three without the inconveniences of any one, as long as the Balance hangs even between the three Estates, and they run joyntly on in their proper Chanel (begetting Verdure and Fertility in the Meadows on both sides) and the overflowing of either on either side raises no Deluge or Inundation. The ill of absolute Monarchy is Tyranny, the ill of Aristocracy is Faction and Division, the ills of Democracy are Tumults, Violence and Licentiousness. The good of Monarchy is the uniting a Nation under one Head to resist Invasion from abroad, and Insurrection at home: the good of Aristocracy is the Conjunction of Counsel in the ablest Persons of a State for the publick benefit: the good of Democracy is Liberty, and the Courage and Industry which Liberty begets.

In

In this Kingdom the Laws are joyntly made by a King, by a House of Peers, and by a House of Commons chosen by the People, all having free Votes and particular Privileges. The Government according to these Laws is trusted to the King; power of Treaties of War and Peace, of making Peers, of chusing Officers and Counsellours for State, Judges for Law, Commanders for Forts and Castles, giving Commissions for raising men to make War abroad, or to prevent or provide against Invasions or Insurrections at home, benefit of Confiscations, power of Pardoning, and some more of the like kind are placed in the King. And this kind of regulated Monarchy having this power to preserve that Authority, without which it would be disabled to preserve the Laws in their force, and the Subjects in their Liberties and Proprieties, is intended to draw to Him such a Respect and Relation from the Great ones as may hinder the ills of Division and Faction, and such a Fear and Reverence from the People as may hinder Tumults, Violence and Licentiousness. Again, that the Prince may not make use of this high and perpetual Power to the hurt of those for whose good He hath it, and make use of the name of publick Necessity for the gain of His private Favourites and Followers, to the detriment of His People, the House of Commons (an excellent Conserver of Liberty, but never intended for any share in Government, or the chusing of them that should govern) is solely intrusted with the first Propositions concerning the Levies of Monies (which is the sinews as well of Peace as War) and the impeaching of those who for their own ends, though countenanced by any surreptitiously-gotten Command of the King, have violated that Law which He is bound (when He knows it) to protect, and to the protection of which they were bound to advise Him, at least not to serve Him in the contrary. And the Lords being trusted with a Judicatory power, are an excellent Screen and Bank between the Prince and People, to assist each against any Inroachments of the other, and by just Judgements to preserve that Law which ought to be the Rule of every one of the Three. For the better enabling them in this, beyond the Examples of any of Our Ancestors, We were willingly contented to oblige Our Self both to call a Parliament every three years, and not to dissolve it in fiftie daies, and for the present Exigent, the better to raise Money, and avoid the pressure

(no less grievous to Us then them) Our People must have suffered by a longer continuance of so vast a Charge as two great Armies, and for their greater certainty of having sufficient time to remedy the inconveniences arisen during so long an absence of Parliaments, and for the punishment of the Causers and Ministers of them, We yielded up Our Right of dissolving this Parliament, expecting an extraordinary moderation from it in gratitude for so unexampled a Grace, and little looking that any *Malignant Partie* should have been encouraged or enabled to have perswaded them, first to countenance the Injustices and Indignities We have endured, and then by a new way of Satisfaction for what was taken from Us, to demand of Us at once to confirm what was so taken, and to give up almost all the rest.

Since therefore the Power Legally placed in both Houses is more then sufficient to prevent and restrain the power of Tyranny, and without the Power which is now asked from Us We shall not be able to discharge that Trust which is the End of Monarchy; since this would be a total Subversion of the Fundamental Laws, and that excellent Constitution of this Kingdom which hath made this Nation so many years both Famous and Happy to a great degree of Envie; since to the power of Punishing (which is already in your hands according to Law) if the power of Preferring be added, We shall have nothing left for Us but to look on; since the incroaching of one of these Estates upon the power of the other is unhappy in the effects both to them and all the rest; since this power of at most a joynt-Government in Us with Our Counsellors, (or rather Our Guardians) will return Us to the worst kind of Minority, and make Us despicable both at home and abroad, and beget eternal Factions and Dissentions (as destructive to publick Happiness as War) both in the chosen, and the Houses that chuse them, and the People who chuse the Chusers; since so new a Power will undoubtedly intoxicate persons who were not born to it, and beget not only Divisions among them as Equals, but in them contempt of Us as become an Equal to them, and Insolence and Injustice towards Our People, as now so much their Inferiors, which will be the more grievous unto them, as suffering from those who were so lately of a nearer degree to themselves, and being to have redress only from those that placed
them,

them, and fearing they may be inclined to preserve what they have made both out of kindness and policy ; since all great Changes are extremely inconvenient, and almost infallibly beget yet greater Changes, which beget yet greater Inconveniencies ; since as great an one in the Church must follow this of the Kingdom; since the Second Estate would in all probability follow the Fate of the First, and by some of the same turbulent spirits Jealousies would be soon raised against them, and the like Propositions for reconciliation of Differences would be then sent to them as they now have joyned to send to Us, till (all Power being vested in the House of Commons, & their number making them incapable of transacting Affairs of State with the necessary Secrecie and Expedition, those being re-trusted to some close Committee) at last the Common people (who in the mean time must be flattered , and to whom Licence must be given in all their wilde humours, how contrary soever to established Law or their own real Good) discovering this *Arcanum Imperii*, That all this was done by them, but not for them, grow weary of Journey-work, and set up for themselves, call Parity and Independence Liberty, devour that Estate which had devoured the rest, destroy all Rights and Proprieties, all distinctions of Families and Merit, and by this means this splendid and excellently-distinguished form of Government end in a dark equal *Chaos* of Confusion, and the long Line of Our many noble Ancestors in a *Jack Cade* or a *Wat Tyler* :

For all these Reasons to all these Demands Our Answer is, *Nolumus Leges Angliæ mutari*. But this We promise , that We will be as careful of preserving the Laws in what is supposed to concern wholly Our Subjects, as in what most concerns Our Self. For indeed We profess to believe that the preservation of every Law concerns Us, those of Obedience being not secure when those of Protection are violated ; and We being most of any injured in the least violation of that by which We enjoy the highest Rights and greatest Benefits, and are therefore obliged to defend no less by Our Interest then by Our Duty, and hope that no Jealousies to the contrary shall be any longer nourished in any of Our good People by the subtil insinuations and secret practices of men, who for private ends are disaffected to Our Honour and Safety, and the Peace and Prosperity of Our People. And to shew you that no just indignation at so re-

proachful offers shall make Us refuse to grant what is probable to conduce to the good of Our good People, because of the ill company it comes in, We will search carefully in this heap of unreasonable Demands for so much as We may (complying with Our Conscience and the Duty of Our Trust) assent unto, and shall accordingly agree to it.

In pursuance of which Search, in the Fourth Proposition, under a Demand which would take from Us that Trust which God, Nature, and the Laws of the Land have placed in Us, and of which none of you could endure to be deprived, We finde something to which We give this Answer; That We have committed the principal places about Our Children to persons of Quality, Integrity and Piety, with special regard that their tender years might be so seasoned with the Principles of the true Protestant Religion, as (by the blessing of God upon this Our Care) this whole Kingdom may in due time reap the fruit thereof. And as We have likewise been very careful in the choice of Servants about them, that none of them may be such as by ill Principles or by ill Examples to cross Our endeavours for their Pious and Vertuous Education; so if there shall be found (for all Our care to prevent it) any person about Our Children (or about Us, which is more then you ask) *against whom both Houses shall make appear to Us any just exception*, We shall not onely remove them, but thank you for the Information: Onely We shall expect, that you shall be likewise careful that there be no underhand dealing by any to seek faults, to make room for others to succeed in their places.

For the Fifth Demand, As We will not suffer any to share with Us in our power of Treaties, which are most improper for Parliaments, and least in those Treaties in which We are nearest concerned, not only as a King, but as a Father; yet We do (such is Our desire to give all reasonable satisfaction) assure you by the word of a King, that We shall never propose or entertain any Treaty whatsoever for the Marriage of any of Our Children, without due regard to the true Protestant Profession, the good of Our Kingdoms, and the Honour of Our Family.

For the Sixth Demand, concerning *the Laws in force against Jesuits, Priests, and Popish Recusants*, We have by many of Our Messages to
you,

you, by Our voluntary promise to you, so solemnly made, never to pardon any Popish Priest, by Our strict Proclamations lately published in this point, and by the publick Examples which We have made in that case since Our Residence at York, and before at London, sufficiently expressed Our zeal herein. Why do you then ask that in which Our own Inclination hath prevented you? And if you can yet finde any more effectual course to disable them from disturbing the State, or eluding the Law by trusts or otherwise, We shall willingly give Our Consent to it.

For the Seventh, concerning the *Votes of Popish Lords*, We understand that they in discretion have withdrawn themselves from the Service of the House of Peers, (and had done so when use was publicly made of their Names to asperse the Votes of that House, which was then counted as Malignant as those who are called *Our Unknown and Unsworn Counsellors* are now.) Neither do We conceive that such a Positive Law against the Votes of any whose blood gives them that Right is so proper in regard of the Privilege of Parliament; but are content, that so long as they shall not be conformable to the Doctrine and Discipline of the Church of England, they shall not be admitted to sit in the House of Peers, but only to give their Proxies to such Protestant Lords as they shall chuse, who are to dispose of them as they themselves shall think fit, without any reference at all to the giver.

As to the desires for a *Bill for the Education of the Children of Papists by Protestants in the Protestant Profession*, many about Us can witness with Us, that We have often delivered Our Opinion, that such a course (with God's blessing upon it) would be the most effectual for the rooting out of Popery out of this Kingdom; We shall therefore thank you for it, and encourage you in it, and, when it comes unto Us, doe Our Duty: And We heartily wish, for the publick good, that the time you have spent in making Ordinances without Us, had been imployed in preparing this and other good Bills for Us.

For the Eighth, touching the *Reformation to be made of the Church-Government and Liturgie*, We had hoped, that what We had formerly declared concerning the same had been so sufficiently understood by you and all good Subjects, that We should not need to have expressed Our Self further in it. We told you in Our Answers to

your Petition presented to Us at Hampton-Court the first of December, That for any illegal Innovations which may have crept in, We should willingly concur in the removal of them; that if Our Parliament should advise Us to call a National Synod, which may duely examine such Ceremonies as give just cause of Offence to any, We should take it into Consideration, and apply Our Self to give due satisfaction therein; that We were perswaded in Our Conscience, that no Church could be found upon the Earth, that professeth the true Religion with more Purity of Doctrine then the Church of England doth, nor where the Government and Discipline are joyntly more beautified, and free from Superstition, then as they are here established by Law; which (by the grace of God) We will with Constancy maintain (while We live) in their Purity and Glory, not onely against all Invasions of Popery, but also from the Irreverence of those many Schismatics and Separatists wherewith of late this Kingdome and Our City of London abounds, to the great dishonour and hazard both of Church and State; for the suppression of whom We required your timely and active assistance. We told you in Our first Declaration, printed by the Advice of Our Privy Councel, That for differences amongst our selves for matters indifferent in their own nature concerning Religion, We should in tenderneß to any number of Our loving Subjects very willingly comply with the Advice of Our Parliament, that some Law might be made for the exemption of tender Consciences from punishment or prosecution for such Ceremonies, and in such Cases, which by the judgement of most men are held to be matters indifferent, and of some to be absolutely unlawful: Provided, that this ease should be attempted and pursued with that modestie, temper and submission, that in the mean time the Peace and Quiet of the Kingdom be not disturbed, the Decency and Comelineß of God's Service discountenanced, nor the Pious, Sober, Devout actions of those Reverend Persons who were the first Labourers in the blessed Reformation, or of that time, be scandalled and defamed. And We heartily wish, that others whom it concerned had been as ready (as their Duty bound them, though they had not received it from Us) to have pursued this Caution as We were, and still are willing and ready to make good every particular of that Promise. Nor did We onely appear willing to joyn in so good a Work when it should be brought Us, but prest and urged you to it by Our Message of the fourteenth of February in these words; And because His Majestie observes great and
different

different troubles to arise in the hearts of His People concerning the Government and Liturgy of the Church, His Majestie is willing to declare, That He will refer the whole consideration to the wisdom of His Parliament, which He desires them to enter into speedily, that the present Distractions about the same may be composed: but desires not to be pressed to any single Act on His part, till the whole be so digested and settled by both Houses, that His Majestie may clearly see what is fit to be left, as well as what is fit to be taken away. Of which We the more hoped of a good success to the general satisfaction of Our People, because you seem in this Proposition to desire but a Reformation, and not (as is daily preached for as necessary in those many Conventicles which have within these nineteen moneths begun to swarm, and which, though their Leaders differ from you in this opinion, yet appear to many as countenanced by you, by not being punished by you; few else, by reason of the Order of the House of Commons of the 9th of September, daring to doe it) a destruction of the present Discipline and Liturgie. And We shall most chearfully give Our best assistance for raising a sufficient maintenance for Preaching Ministers, in such course as shall be most for the encouragement and advancement of Piety and Learning.

For the Bills you mention, and the Consultation you intimate, knowing nothing of the particular matters of the one (though We like the Titles well) nor of the manner of the other, but from an Informer (to whom We give little credit, and We wish no man did more) common Fame, We can say nothing till We see them.

For the Eleventh, We would not have the Oath of all Privie Counsellors and Judges streightned to particular Statutes of one or two particular Parliaments, but extend to all Statutes of all Parliaments, and the whole Law of the Land; and shall willingly consent that an enquiry of all the breaches and violations of the Law may be given in charge by the Justices of the Kings Bench every Term, and by the Judges of Assize in their Circuits, and Justices of Peace at the Sessions, to be presented and punished according to Law.

For the Seventeenth, We shall ever be most ready, (and We are sorry it should be thought needfull to move Us to it) not only to joyn with any (particularly with the States of the United Provinces, of which We have given a late proof in the Match of Our Daughter)

for the defence and maintenance of the Protestant Religion, against all designs and attempts of the Pope and his Adherents; but singly (if need were) to oppose with Our Life and Fortune all such Designs in all other Nations, were they joyned: And that for Considerations of Conscience, far more then any temporal end of obtaining access of Strength and Reputation, or any natural end of restoring Our Royal Sister and her Princely Issue to their Dignities and Dominions; though these be likewise much considered by Us.

For the Eighteenth, It was not Our fault that an Act was not passed to clear the Lord Kimbolton and the Five Members of the House of Commons, but yours, who inserted such Clauses into both the Preamble and Act (perhaps perswaded to it by some who wish not that you should in any thing receive satisfaction from Us) as by passing the Preamble We must have wounded Our Honour against Our Conscience, and by another Clause have admitted a Consequence from which We could never have been secured, by declaring, *That no Member of either House, upon any Accusation of Treason, could have his Person seized without the Consent of that House of which he is a Member; though the known Law be, That Privilege of Parliament extends not to Treason, and if it did, any Member (the House being for a short time adjourned, and so their Consent not being so had) how treasonable soever his Intentions were, how clearly soever known, and how suddenly soever to be executed, must have fair leave given him to go on and pursue them, no way, how Legal soever, after the passing such a Clause, being left to prevent it.*

To conclude, We conjure you and all men to rest satisfied with the Truth of Our Professions, and the Reality of Our Intentions; not to ask such things as deny themselves; that you declare against Tumults, and punish the Authours; that you allow Us Our Propriety in Our Towns, Arms and Goods, and Our share in the Legislative Power, which would be counted in Us not only breach of Privilege, but Tyranny and Subversion of Parliaments to deny to you: And when you shall have given Us satisfaction upon those Persons who have taken away the one, and recalled those Declarations (particularly that of the 26. of May, and those in the point of the Militia, Our just Rights wherein We will no more part with then with Our Crown, lest We enable others by them to take that from Us) which would take away the other, and declined the beginnings

nings of a War against Us under pretence of Our Intention of making one against you; as We have never opposed the first part of the Thirteenth Demand, so We shall be ready to concur with you in the latter.

And being then confident that the Credit of those men who desire a general Combustion will be so weakned with you, that they will not be able to doe this Kingdom any more harm, We shall be willing to grant Our general Pardon, with such Exceptions as shall be thought fit, and shall receive much more joy in the hope of a full and constant Happines of Our People in the True Religion, and under the Protection of the Law, by a blessed Union between Us and Our Parliament (so much desired by Us) then in any such increase of Our Own Revenue (how much soever beyond former Grants) as (when Our Subjects were wealthiest) Our Parliament could have settled upon Us.

His MAJESTIES Declaration, made the 13. of June 1642. to the Lords attending his Majesty at York, and to others of His Majesties Privie Councel there.

Together with their Promise thereupon subscribed by them.

Charles R.

WE do declare, That We will not require nor exact any Obedience from you, but what shall be warranted by the known Law of the Land; as We do expect, that you shall not yield to any Commands not legally grounded, or imposed by any other.

And We do further declare, That We will defend every one of you, and all such as shall refuse any such Commands, whether they proceed from Votes and Orders of both Houses or any other way, from all dangers and hazards whatsoever.

And We do further declare, That We will defend the true Protestant Religion established by the Law of the Land, the lawful Liberties of the Subjects of *England*, and just Privileges of all the three Estates of Parliament :

Parliament: and shall require no further Obedience from you, then as accordingly We shall perform the same.

And We do declare, That We will not (as is falsely pretended) engage you, or any of you, in any War against the Parliament, except it be for Our necessary defence and safety against such as do insolently invade or attempt against Us or such as shall adhere to Us.

York, 13. Junii, 1642.

The Promise of the said Lords and others.

WE do engage our selves, not to obey any Orders or Commands whatsoever, not warranted by the known Laws of the Land.

We do engage our selves to defend Your MAJESTIES Person, Crown and Dignity, together with Your Majesties just and Legal Prerogative, against all persons and power whatsoever.

We will defend the true Protestant Religion established by the Law of the Land, the lawful Liberties of the Subject of *England*, and just Privileges of Your Majesty and both your Houses of Parliament.

And lastly, we engage our selves, not to obey any Rule, Order or Ordinance whatsoever, concerning any *Militia*, that hath not the Royal Assent.

York, 13. Junii, 1642.

Subscribed by

Lord Keeper.	L. Mowbray and Maltravers.
L. D. of Richmond.	L. Willoughby of Eresby.
L. Marquess Hartford.	L. Rich.
E. of Lindsey.	L. Ch. Howard of Charleton.
E. of Cumberland.	L. Newark.
E. of Huntington.	L. Paget.
E. of Bath.	L. Chandos.
E. of Southampton.	L. Falconbridge.
E. of Dorset.	L. Paulet.
E. of Salisbury.	L. Lovelace.
E. of Northampton.	L. Savile.
E. of Devonshire.	L. Coventry.
E. of Cambridge.	L. Mohun.
E. of Bristol.	L. Dunsmore.
E. of Westmorland.	L. Seymour.
E. of Berkshire.	L. Grey of Ruthen.
E. of Monmouth.	L. Capell.
E. of Rivers.	L. Falkland.
E. of Newcastle.	M ^r . Comptroller.
E. of Dover.	M ^r . Secretary Nicholas.
E. of Carnarvon.	M ^r . Chancellor of the Exchequer.
E. of Newport.	L. Chief Justice Banks.

His

His MAJESTIES Declaration to all His loving Subjects, occasioned by a false and Scandalous Imputation laid upon His Majesty, of an intention of Raising or Levying War against His Parliament, and of having raised Force to that end.

Published at His Court at York, the 16 day of June.

THough We have these last seven moneths met with so many several Encounters of strange and unusual Declarations, under the names of both Our Houses of Parliament, that We should not be amazed at any new Prodigy of that kind; and though their last of the six and twentieth of *May* gave Us a fair warning, that the Contrivers of it having spent all their stock of bitter and reproachful Language upon Us, We were to expect they should now break out into some bold and disloyal Actions against Us, and having by that Declaration (as far as in them lies) devested Us of that Preeminence and Authority which God, the Law, the Custom and Consent of this Nation had placed in Us, and assumed it to themselves, that they should likewise with expedition put forth the fruits of that supreme Power for the violating and suppressing that Power they despised, (an effect of which Resolution their wild Declaration against Our Proclamation concerning the pretended Ordinance for the *Militia*, and the punishing of the Proclaimers, appears to be:) yet We must confess, in their last Attempt (We speak of the last We know, they may probably since, or at this present, have outdone that too) they have outdone what We conceive was their present intention; and whosoever hears of Propositions and Orders for bringing in of Money or Plate to maintain Horse, Horsmen and Arms, for the preservation of the publick Peace, or for the Defence of the King and both Houses of Parliament, (such is their Declaration, or what else they please to call it, of the tenth of *June*) will surely believe the Peace of this Kingdom to be extremely shaken, and at least the King himself to be consulted with, and privie to these Propositions. But We hope that when Our good Subjects shall find, that this goodly pretence of the Defence of the King is but a specious bait to seduce weak
and

and inconsiderate men into the highest Acts of Disobedience and Disloyalty against Us, and of Violence and Destruction upon the Laws and Constitutions of the Kingdom, they will no longer be captivated by an implicate Reverence to the name of both Houses of Parliament, but will carefully examine and consider what number of persons are present, and what persons are prevalent in those Consultations, and how the Debates are probably managed from whence such horrid and monstrous Conclusions do result ; and will, at least, weigh the Reputation, Wisdom and Affection of those who are notoriously known, out of the very horror of their Proceedings, to have withdrawn themselves, or by their skill and violence to be driven from them and their Counsels.

Whilst their Fears and Jealousies did arise, or were infused into the people from Discourses of the Rebels in *Ireland*, of Skippers at *Rotterdam*, of Forces from *Denmark*, *France*, or *Spain*, (how improbable and ridiculous soever that bundle of Informations appeared to all wise and knowing men) it is no wonder if the easiness to deceive and the willingness to be deceived did prevail over many of Our weak Subjects, to believe that the Dangers which they did not see might proceed from Causes which they did not understand : But for them to declare to all the world, That We intend to make War against Our Parliament, (whilst We sit still, complaining to God Almighty of the Injury offered to Us and to the very Being of Parliaments) and that We have already begun actually to levie Forces both of Horse and Foot (whilst We have onely, in a Legal way, provided a smaller Guard for the security of Our own Person so near a Rebellion at *Hull*, then they have had, without lawfull Authority, above these eight Moneths upon imaginary and impossible Dangers) to impose upon Our peoples Sense as well as their Understanding, by telling them We are doing that which they see We are not doing, and intending that they all know (as much as Intentions can be known) We are not intending, is a boldness agreeable to no power, but the Omnipotence of those Votes whose absolute Supremacy hath almost brought Confusion upon King and People, and against which no Knowledge in matter of Fact, or Consent and Authority in matter of Law, they will endure shall be opposed.

We have upon all occasions with all possible Expressions professed

fessed Our fast and unshaken Resolutions for Peace. And We do again (in the presence of Almighty God, Our Maker and Redeemer) assure the World, that We have no more thought of making a War against Our Parliament then against Our own Children; that We will maintain and observe the Acts assented to by Us this Parliament without Violation, (of which that for the frequent assembling of Parliaments is one;) and that We have not, or shall not have any thought of using any force, unless We shall be driven to it for the security of Our Person, and for the defence of the Religion, Laws and Liberty of the Kingdom, and the just Rights and Privileges of Parliament. And therefore We hope the Malignant Party, who have so much despised Our Person and usurped our Office, shall not by their specious fraudulent insinuations prevail with Our good Subjects to give credit to their wicked Assertions, and so to contribute their Power and Assistance for the ruine and destruction of Us and themselves.

For Our Guard about Our Person, (which not so much their Example as their Provocation inforced Us to take) 'tis known, it consists of the prime Gentry (in Fortune and Reputation) of this County, and of one Regiment of Our Trained Bands, who have been so far from offering any Affronts, Injuries or Disturbance to any of Our good Subjects, that their principal end is to prevent such; and so may be Security, can be no Grievance to Our People. That some ill-affected persons, or any persons, have been employed in other parts to raise Troops under colour of Our Service, or have made large (or any) offers of Reward and Preferment to such as will come in, is, for ought We know, and as We believe, an Untruth devised by the Contrivers of this false Rumour; We disavow it, and are confident there will be no need of such Art or Industry to induce Our loving Subjects, when they shall see Us oppressed, and their Liberties and Laws confounded (and till then We shall not call on them) to come in to Us and to assist Us.

For the Delinquents whom We are said with a high and forcible hand to protect, let them be named, and their Delinquency, and if We give not satisfaction to Justice, when We shall have received satisfaction concerning Sir *John Hotham*, by his legal Triall, then let Us be blamed. But if the Designe be (as it is well known to be)

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after

after We have been driven by force from Our City of *London*, and kept by force from our Town of *Hull*, to protect all those who are Delinquents against Us, and to make all those Delinquents who attend on Us or execute Our lawful Commands, We have great reason to be satisfied in the Truth and Justice of such Accusation, lest to be Our Servant and to be a Delinquent grow to be termes so convertible, that in a short time We be left as naked in Attendance as they would have Us in Power, and so compell Us to be waited on only by such whom they shall appoint and allow, and in whose presence We should be more miserably alone then in Desolation it self. And if the seditious Contrivers and Fomenters of this Scandal upon Us shall have (as they have had) the power to mis-lead the major part present of either or both Houses, to make such Orders and send such Messages and Messengers as they have lately done, for the apprehension of the great Earls and Barons of *England*, as if they were Rogues or Felons, and whereby Persons of Honour and Quality are made Delinquents merely for attending upon Us and upon Our Summons, whilst other men are forbid to come near Us (though obliged by the Duty of their Places and Oaths) upon Our lawful Commands; 'tis no wonder if such Messengers are not very well intreated, and such Orders not obeyed: Neither can there be a surer and a cunninger way found out to render the Authority of both Houses scorned and vilified, then to assume to themselves (merely upon the Authority of the Name of Parliament) a power monstrous to all Understandings, and to doe Actions and to make Orders evidently and demonstrably contrary to all known Law and Reason, (as to take up Arms against Us, under colour of defending Us; to cause Money to be brought in to them, and to forbid Our own Money to be paid to Us or to Our use, under colour that We will imploy it ill; to beat Us and starve Us for Our own good, and by Our own Power and Authority) which must in short time make the greatest Court and the greatest Person cheap and of no estimation.

Who those sensible men are of the publick Calamities, of the Violations of the Privileges of Parliament, and the common Liberty of the Subject, who have been baffled & injured by Malignant men and Cavaliers about Us, We cannot imagine: And if those Cavaliers are
so

so much without the fear of God and Man, and so ready to commit all manner of Outrage and Violence as is pretended, Our Government ought to be the more esteemed, which hath kept them from doing so, insomuch as We believe no Person hath cause to complain of any injury or of any damage in the least degree by any man about, or who hath offered his service to Us. All which being duly considered, if the Contrivers of these Propositions and Orders had been truly sensible of the Obligation which lies upon them in Honour, Conscience and Duty, according to the high Trust reposed in them by Us and Our People, they would not have published such a sense and apprehension of imminent Danger, when themselves in their Consciences know, that the greatest, and indeed onely, Danger which threatens this Church and State, the blessed Religion and Libertie of Our People, is in their own desperate and seditious Designs; and would not endeavour upon such weak and groundless Reasons to seduce Our good Subjects from their Affection and Loyalty to Us, to run themselves into Actions unwarrantable, and destructive to the Peace and Foundation of the Commonwealth.

And that all Our loving Subjects may see how causeless and groundless this scandalous Rumour and Imputation of Our raising War upon Our Parliament is, We have, with this Our Declaration, caused to be printed the Testimony of those Lords and other Persons of Our Council who are here with Us, who being upon the place, could not but discover such Our Intentions and Preparations, and cannot be suspected for their Honours and their Interests to combine in such mischievous and horrid Resolutions. And therefore We streightly charge and command all Our loving Subjects upon their Allegiance, and as they will answer the contrary at their peril, That they yield no Obedience or Consent to the said Propositions and Orders, and that they presume not, under any such Pretences, or by colour of any such Orders, to Raise or Levy any Horse or Men, or to bring in any Money or Plate to such purpose. But if notwithstanding this clear Declaration and Evidence of Our Intentions, these men (whose Designe is to compell Us to raise War upon Our Parliament, which all their Skill and Malice shall never be able to effect) shall think fit by these Alarms to

awaken Us to a more necessary care of the defence of Our Self and Our People, and shall themselves (under colour of Defence) in so unheard-of a manner provide (and seduce others to doe so too) to offend Us, having given Us so lively testimony of their Affections what they are willing to doe, when they have once made themselves able, all Our good Subjects will think it necessary to look to Our Self: and We do then excite all Our well-affected people, according to their Oaths of Allegiance and Supremacie, and according to their solemn Vow and Protestation (whereby they are obliged to defend Our Person, Honour and Estate) to contribute their best Assistance to the Preparations necessary for the opposing and suppressing of the Traitorous Attempts of such wicked and Malignant persons, who would destroy Our Person, Honour and Estate, and ingage the whole Kingdom in a Civil War, to satisfie their own lawless Fury and Ambition, and so rob Our good Subjects of the blessed fruit of this present Parliament; which they already in some degree have, and might still reap, to the abundant satisfaction and joy of the whole Kingdom, if such wicked hands were not ready to ruine all their possession, and frustrate all their hopes.

We do therefore declare, That whosoever, of what degree or quality soever, shall then, upon so urgent and visible necessity of Ours, and such an apparent Distraction of the Kingdom (caused and begotten by the Malice and Contrivance of this Malignant Party) bring in to Us, and to Our use, ready Money or Plate, or shall under-write to furnish any number of Horse, Horsemen and Arms, for the preservation of the publick Peace, the defence of Our Person, and the vindication of the Privilege and Freedom of Parliament, We shall receive it as a most acceptable Service, and as a testimony of his singular Affection to the Protestant Religion, the Laws, Liberties and Peace of the Kingdom, and shall no longer desire the continuance of that Affection, then We shall be ready to justifie and maintain those with the hazard of Our Life.

And We do farther declare, That whosoever shall then bring in any summes of Money or Plate to assist Us in this great Extremity, shall receive consideration after the rate of eight pounds *per cent.* for all such Moneys as he shall furnish Us withall, and shall, upon the

the payment of such Money to such persons whom We shall appoint to receive the same, receive Security for the same, by good lawful Assurance of such of Our Lands, Forests, Parks and Houses, as shall be sufficient for the same, and more real Security then the name of *Publick Faith*, given without Us and against Us, as if We were no part of the Publick; and besides, We shall alwayes look upon it as a service most affectionately and seasonably performed for the preservation of Us and the Kingdom. But We shall be much gladder that their submission to those Our Commands, and their desisting from any such attempts of raising Horse or Men, may ease all Our good Subjects of that trouble, charge and vexation.

His MAJESTIES Declaration and Profession, disavowing any Preparations or Intentions in Him to Levy War against His Houses of Parliament.

By the KING.

THere having been many Rumours spread, and Informations given, which may have induced many to believe that We intend to make War against Our Parliament; We profess before God, and declare to all the World, that We alwayes have, and do abhorre all such Designes, and desire all Our Nobility and Council who are here upon the place to declare, whether they have not been witnesses of Our frequent and earnest Declarations and Professions to this purpose; whether they see any colour of Preparations or Counsels that might reasonably beget a belief of any such Designe; and whether they be not fully perswaded that We have no such Intention, but that all Our Endeavours, according to Our many Professions, tend to the firm and constant settlement of the true Protestant Religion, the just Privileges of Parliament, the Liberty of the Subject, the Law, Peace and Prosperity of this Kingdom.

Given at Our Court at York, this 15. of June, 1642.

(L 3)

The

The Declaration of the Lords.

The Declaration and Profession of the Lords now at York, and others of His Majesties most Honourable Privy Council, disavowing that they see any appearance of Preparations or Intentions in His Majestie to levy War against the Parliament.

WE whose names are under-written, in Obedience to His Majesties Desire, and out of the Duty which we owe to His Majesties Honour and to Truth, being here upon the place, and witnesses of His Majesties frequent and earnest Declarations and Professions of His abhorring all Designs of making War upon His Parliament, and not seeing any colour of Preparations or Counsels that might reasonably beget the belief of any such Designe, do profess before God, and testifie to all the World, that we are fully perswaded that His Majestie hath no such Intentions; but that all His Endeavours tend to the firm and constant settlement of the true Protestant Religion, the just Privileges of Parliament, the Liberty of the Subject, the Law, Peace and Prosperity of this Kingdom.

York, June 15. 1642.

Subscribed by

Lord Keeper.
L. D. of *Richmond*.
L. Marquess *Hartford*.
L. Great Chamberlain.
E. of *Cumberland*.
E. of *Bath*.
E. of *Southampton*.
E. of *Dorset*.
E. of *Salisbury*.
E. of *Northampton*.
E. of *Devon*.
E. of *Cambridge*.
E. of *Bristol*.
E. of *Clare*.
E. of *Westmorland*.
E. of *Berkshire*.
E. of *Monmouth*.
E. of *Rivers*.
E. of *Dover*.
E. of *Carnarvon*.
E. of *Newport*.

L. *Mowbray and Maltravers*.
L. *Willoughby*.
L. *Grey of Ruthen*.
L. *C. Howard Andover*.
L. *Lovelace*.
L. *Paget*.
L. *Falconberge*.
L. *Rich*.
L. *Paulet*.
L. *Newark*.
L. *Coventry*.
L. *Savile*.
L. *Mobun*.
L. *Dunsmore*.
L. *Seymour*.
L. *Capell*.
L. *Falkland*.
M^r *Comptroller*.
M^r *Secretary Nicholas*.
M^r *Chancellor of the Exchequer*.
L. *Chief Justice Banks*.

By

By the King.

*A Proclamation forbidding all Levies of Forces without His
MAJESTIES expresse Pleasure signified under His Great
Seal, and all Contributions or Assistance to any such Levies.*

MDCXLII.
June 8.

WHereas, under pretence that We intend to make War against the Parliament (the contrary whereof is notoriously known to all that are here, and as We hope by this time apparent to all other Our Subjects, as well by Our Declaration of the sixteenth of *June*, as by the Testimony of all Our Nobility and Council who are here upon the place) and by colour of the Authority of both Houses of Parliament (a major part whereof are now absent from *London*) by the contrivance of some few evil persons, disguising and colouring their pernicious Designs and hostile Preparations, under the plausible names of, *the preservation of publick Peace, and defence of Us and both Houses of Parliament from Force and violence*, it hath been endeavoured to raise Troops of Horse and other Forces;

And for that purpose they have prevailed, not onely to prohibit Our own Moneys to be paid to Us or to Our use, but, by the Name and Authority of Parliament, to excite Our Subjects to contribute their Assistance to them, by bringing in Moneys, Plate, or under-writing to furnish and maintain Horses, Horsemen and Arms; and to that purpose certain Propositions or Orders (as they are styled by them) have been printed, whereby they have endeavoured to engage the Power and Authority of Parliament (as if the two Houses without Us had that Power and Authority) to save harmless all those that shall so contribute from all Prejudice and Inconvenience that may befall them by occasion thereof;

And although We well hope that these Malignant persons (whose Actions do now sufficiently declare their former Intentions) will be able to prevail with few of Our good People to contribute their Power or Assistance unto them: Yet lest any of Our Subjects, taking upon trust what those men affirm without weighing the grounds of it, or the danger to Us, themselves and the Com-

monwealth, which would ensue thereupon, should indeed believe (what these persons would insinuate, and have them to believe) that such their Contribution and Assistance would tend to the preservation of the publick Peace, and the Defence of Us and both Houses of Parliament, and that thereby they should not incur any danger;

We, that We might not be wanting (as much as in Us lyeth) to foreshew and to prevent the danger which may fall thereupon, have hereby thought good to declare and publish unto all Our loving Subjects, That by the Laws of the Land, the power of raising of Forces or Arms, or levying of War for the defence of the Kingdom, or otherwise, hath alwayes belonged to Us, and to Us only; and that by no Power of either or both Houses of Parliament, or otherwise, contrary to Our personal Commands, any Forces can be raised, or any War levied.

And therefore, by the Statute of the seventh year of Our famous Progenitor King *Edward* the First, whereas there had been then some variances betwixt Him and some great Lords of the Realm, and, upon Treaty thereupon, it was agreed, that in the next Parliament after provision should be made, that in all Parliaments and all other Assemblies which should be in the Kingdom for ever, every man should come without Force and Armour, well and peaceably: yet at the next Parliament, when they met together to take advice of this Business, (though it concerned the Parliament it self) the Lords and Commons would not take it upon them, but answered, That it belonged to the King to defend force of Armour, and all other force against the Peace, at all times when it pleased Him, and to punish them which should doe contrary, according to the Laws and Usages of the Realm; and that they were bound to aid Him, as their Sovereign Lord, at all seasons when need should be. And accordingly in Parliament in after-times, the King alone did issue His Proclamations, prohibiting bearing of Arms by any person in or near the City where the Parliament was, excepting such of the Kings Servants as He should depute, or should be deputed by His Commandment, and also excepting the Kings Ministers. And by the Statute of *Northampton*, made in the second year of King *Edward* the Third, it is enacted, That no man, of what condition
soever

soever he be, (except the Kings Servants, in His presence, and His Ministers in executing the Kings Precepts, or of their Office, and such as be in their company assisting them) go nor ride armed by night or day in Fairs, Markets, nor in the presence of the Justices or other Ministers, nor in no part elsewhere.

And this power of raising Forces to be solely in the King, is so known and inseparable a Right to the Crown, that when, in the reign of King *Henry* the Eighth, there being a sudden Rebellion, the Earle of *Shrewsbury*, without Warrant from the King, did raise Arms for the suppression thereof, and happily suppressed it, yet was he forced to obtain his Pardon. And whereas the Duke of *Gloucester* and other great Lords in the eleventh year of King *Richard* the Second (upon pretence of the good of the King and Kingdome, the King being then not of age, and led away, as they alleaged, by evil Counsellors) did raise Forces, and by them mastered their Adversaries ; in that Parliament (such as it was, for it was held and kept with force , how good use soever hath been made of the Precedents therein) they procured a special Act of Pardon for their raising of men, and that those Assemblies should not be drawn into example for the time to come.

And as no man can levy War or raise Forces without the King , so much less against the personal Commands of the King opposed thereunto. For by the Statute of the 25. year of King *Edward* the Third (which is but declaratory of the old Law in that point) it is Treason to levy War against the King in His Realm : Within the construction of which Statute, it is true (which was said in the late Declaration under the name of both Houses of Parliament , of the 26. of *May* last) levying War (in some sense) against the Kings Authority (though not intended against His Person) is levying War against the King. And therefore the raising of Forces, though upon pretence of removing of some evil Counsellors from about the Queen, hath been adjudged Treason in the Case of the late Earle of *Essex*, in the Reign of Queen *Elizabeth*, and in divers other Cases. (And We wish all Our Subjects to consider, whether if men shall be raised contrary to Our Proclamation and against Our Will, it be not against Our Authority.) But it is as true (and was never denied but in that Declaration) that the raising of Forces against the Kings
personal

personal Command (being no Ideot nor Infant, uncapable of understanding to Command) being accompanied with His Presence, is, and is most properly, levying of War against the King. For if it be a sufficient pretence for raising of men against the Kings Person, that it is for the defence of the Kings Authority and of His Kingdom (though against His expresse Command and Proclamation) the *Irish* Rebels will have colour for their horrid Rebellion; for they say (though it be notoriously false) it is for the defence of the Kings Authority and of His Kingdom. And *Wat Tyler* and *Jack Cade* and *Kett* the Tanner wanted not publick Pretences, which were perhaps just causes of Complaints, though not of raising of men.

* Cook 7.
Report.
Calvin's
Case.

And though these persons have gone about subtilly to distinguish betwixt Our Person and Our Authority, as if, because Our Authority may be where Our Person is not, that therefore Our Person may be where Our Authority is not; We require all Our good Subjects to take notice of the Law (which is in print and full force) * That their Allegiance is due unto the natural Person of their Prince, and not to His Crown or Kingdom distinct from His natural Capacity; and that by the Oath of Ligeance at the Common Law (which all persons above the age of twelve years are, or ought to be, sworn unto) they are bound to be true and faithful, not to the King onely as King, but to Our Person as King CHARLES, and to bear Us truth and faith of Life and Member, and earthly Honour; and that* they shall neither know nor hear of any ill or damage intended to Us that they shall not defend: And that when, in the time of K. *Edward* the Second, *Hugh Spencer*, being discontented with the King, caused a Bill to be written, wherein was contained amongst other things, That Homage and the Oath of Allegiance was more by reason of the Kings Crown (that is, His Kingdom) then of His Person; and that seeing the King cannot be reformed by suit of Law, if the King will not redress and put away that which is ill for the Common People and hurtful to the Crown, that the thing ought to be put away by force, and that His Lieges be bound to Govern in aid of Him and in default of Him; he was condemned for it by two Parliaments, and perpetually banished the Kingdom.

We

We have made mention of these Cases, not so much to clear Our Right, that We alone have the power of raising Forces, and none of Our Subjects, either in Parliament or out of Parliament, against Our Will or personal Command (which We think no man that hath the least knowledge in Our Laws, and is not led away by private Interests, and may speak his minde freely, will deny, nor was ever questioned in any Parliament before this time) as to let them see how dangerous the effect and consequence of raising of Forces without Us may be unto Us and to the Commonwealth, under pretence of Defence of both.

And though We cannot doubt of the Affections of Our good Subjects, considering their Interest is involved with Ours, and how precious the Peace of the Kingdom is, and ought to be unto them; and that, according to the words of the Statute of the eleventh year of King *Henry* the Seventh and the eighteenth Chapter, by the duty of their Allegiance they are bounden to serve and assist Us at all seasons when need shall require :

Yet, to the end that Our good Subjects may know what their Duty is, and what We expect from them, and that all others who, through Malice or private Interests, shall be transported beyond their Duties, may be left without excuse; We do therefore by this Our Proclamation charge and command all Our Subjects upon their Allegiance, and as they tender Our Honour and Safety, and the Peace and Safety of the Kingdom, that they presume not to raise or levy any Horses, Horsemen, or Arms, or any Forces whatsoever, by colour of any Authority whatsoever, without Our express pleasure signified under Our great Seal, (other then such as shall be raised, levied and imprested by the Order as well of Our Self as of both Houses of Parliament, according to an Act made this Sessions, intituled, *An Act for the better raising and levying of Souldiers for the present defence of the Kingdoms of England and Ireland, by Justices of Peace, and otherwise, in such manner as is prescribed in the said Act*) or Contribute, or give any Assistance in Money, Plate, finding of Horses, Horsemen, or Arms, or any other waies, to or for any such Preparation, Levie, or Forces : And that such of Our good Subjects who through Ignorance have been mis-led to consent or subscribe to any such Levie, Contribution or Assistance, forthwith, upon publication of this

Our

Our Proclamation, desist from continuing such their Contribution or Assistance, or giving any countenance to any such Levies, at their utmost perils.

And We do likewise streightly charge and command as well all Our Sheriffs, Justices of Peace, Maiors, Bailiffs, Constables, and all other Our Officers whatsoever, that they use their utmost endeavours as well for publishing this Our Proclamation, as for the suppressing of all Levies, or Forces raised, or to be raised, without or against Our consent: as also all other Our loving Subjects, that they be attending, aiding and assisting Our said Officers and Ministers therein, as they and every of them will answer it at their utmost perils.

Given at Our Court at York the eighteenth day of June, in the eighteenth year of Our Reign, 1642.

Votes of the Lower House for raising an Army against the KING.

Die Martis, 12 Julii, 1642.

Resolved upon the Question,

THAT an Army shall be forthwith raised for the Safety of the King's Person, defence of both Houses of Parliament, and of those who have obeyed their Orders and Commands, and preserving of the true Religion, the Laws, Liberty and Peace of the Kingdome.

Resolved upon the Question,

That the Earle of *Essex* shall be the General.

Resolved upon the Question,

That this House doth declare, that in this Cause, for the Safety of the King's Person, defence of both Houses of Parliament, and of those who have obeyed their Orders and Commands, and preserving of the true Religion, the Laws, Liberty and Peace of the Kingdome, they will live and die with the Earle of *Essex*, whom they have nominated General in this Cause.

A Decla-

*A Declaration of the Lords and Commons, for raising
of Forces against the KING:*

MDCXLII.
Aug. 8.

*Together with His MAJESTIES Declaration
in Answer to the same.*

A Declaration of the Lords and Commons assembled in Parliament, for the raising of all Power and Force, as wel Trained Bands as others, in several Counties of this Kingdome; to lead against all Traitors and their Adherents, and them to Arrest and Imprison, and to Fight with, Kill and Slay all such as shall oppose any of His Majestie's loving Subjects that shall be imployed in this Service by either or both Houses of Parliament.

WHereas certain Information is given from several parts of the Kingdom, That divers Troops of Horse are imployed in sundry Counties of the Kingdome, and that others have Commission to raise both Horse and Foot, to compel His Majesties Subjects to submit to the Illegal Commission of Array, out of a Traitorous intent to subvert the Liberty of the Subject and the Law of the Kingdome; and for the better strengthening themselves in this wicked attempt, do joyn with the Popish and Jesuitical Faction, to put the Kingdome into a Combustion and Civil Warre, by levying Forces against the Parliament, and by these Forces to alter the Religion, and the antient Government, and lawful Liberty of the Kingdome, and to introduce Popery and Idolatry, together with an Arbitrary Form of Government; and in pursuance thereof have Traitorously and Rebellionously levied Warre against the King, and by force robb'd, spoil'd, and slain divers of His Majesties good Subjects, travelling about their lawful and necessary occasions, in the Kings Protection, according to Law; and namely, that for the end and purpose aforesaid, the Earle of Northampton, the Lord Dunsmore, Lord Willoughby of Eresby, Son to the Earl of Lindsey, Henry Hastings Esquire, and divers other unknown persons in the Counties of Lincoln, Nottingham, Leicester, Warwick, Oxford, and other places, the Marquess of Hartford, the Lord Panlet, Lord Seymour, Sir John Stawell, Sir Ralph Hopton, John Digby Esquire, and other their Accomplices, have gotten together great Forces in the County of Somerset:

The Lords and Commons in Parliament, duly considering the great Dangers which may ensue upon such their wicked and traitorous Designes, and if by this means the Power of the Sword should come into the hands of Papists and their Adherents, nothing can be expected but the miserable ruine and desolation of the Kingdom, and the bloody massacre of the Protestants; they do Declare and Ordain, That it is and shall be lawfull for all His Majesties loving Subjects, by force of Armes to resist the said several Parties and their Accomplices, and all other that shall raise or conduct any other Forces for the ends aforesaid; and that the Earl of Essex, Lord General, with all his Forces raised by the Authority of Parliament, as likewise the Lord Say, Lieutenant of Oxfordshire, Earl of Peterborough, Lieutenant of Northamptonshire, Lord Wharton, Lieutenant of Buckinghamshire, Earl of Stamford, Lieutenant of Leicestershire, Earl of Pembroke, Lieutenant of Wiltshire and Hampshire, Earl of Bedford, Lieutenant of Somersetshire and Devon, Lord Brook, Lieutenant of Warwickshire, the Lord Cranborne, Lieutenant of Dorsetshire, the Lord Willoughby of Parham, Lieutenant of Lincolnshire, and all those who are or shall be appointed by Ordinance of both

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Houses

Houses to perform the place of Deputy-Lieutenants, and their Deputy-Lieutenants respectively, *Denzil Hollis* Esquire, Lieutenant of the City and County of *Bristol*, and the Maiors and Sheriffs of the City and Deputy-Lieutenants there, and all other Lieutenants of Counties, Sheriffs, Maiors, Deputy-Lieutenants, shall raise all their Power and Forces of their several Counties, as well Trained Bands as others, and shall have power to conduct and lead the said Forces of the said Counties against the said Traitors and their Adherents, and with them to fight, kill and slay all such as by force shall oppose them, and the Persons of the said Traitors, and their Adherents and Accomplices, to Arrest and Imprison, and them to bring up to the Parliament, to answer these their Traitorous and Rebellious Attempts, according to Law; and the same or any other Forces to transport and conduct from one County to another, in aide and assistance one of another, and of all others that shall joyn with the Lords and Commons in Parliament for the defence of the Religion of Almighty God, and of the Liberties and Peace of the Kingdome, and in pursuit of those wicked and Rebellious Traitors, their Conspirators, Aiders and Abettors and Adherents: requiring all Lieutenants of Counties, Sheriffs, Maiors, Justices of Peace, and other His Majesties Officers and loving Subjects, to be aiding and assisting to one another in the Execution hereof. And for so doing, all the parties above mentioned, and all others that shall joyn with them, shall be justified, defended and secured by the Power and Authority of Parliament.

Die Luna, Aug. 8. 1642.

Ordered that this Declaration be forthwith Printed and Published.

Hen. Elsinge Cler. Parl. D. Com.

His MAJESTIES Declaration, in Answer to a Declaration of the Lords and Commons assembled in Parliament, for the raising of all Power and Force, as well Trained Bands, &c.

AS much experience as We have had of the inveterate Rancour and high Insolence of the Malignant Party against Us, We never yet saw any expression come from them so evidently declaring it as the Declaration entituled, *A Declaration of the Lords and Commons assembled in Parliament, for the raising of all Power and Force, as well Trained Bands as others, in several Counties of this Kingdome, to lead against all Traitors and their Adherents, &c.* In which that Faction hath, as it were, distilled and contracted all their Falsehood, Insolence and Malice; there being in it not one period which is not either Slanderous or Treasonable. And nothing can more grieve Us, then that by their infinite Arts and Subtilty (employed by their perpetual and indefatigable Industry) and by that Rabble of *Brownists* and other *Schismaticks*, declaredly ready to appear at their Call, they should have been

been able so to draw away some, and drive away others of Our good Subjects from Our Parliament, as to prevail with the major part remaining of both Houses, (how much soever that major part be the smaller in comparison of the whole) to suffer that name (whose Reverence by all means We desire to preserve) to be so soyl'd, as to be prefixed to a Paper of this unsufferable nature, that tends not only to the Destruction of Our Person, but to the Dissolution of this Government and of all Society : If at least this Declaration (which We rather see cause to hope it hath not) have so much as been seen in the Houses, and be not the single work of the same Omnipotent Committee to which is devolved the whole power of the Parliament, and which, as We understand, is trusted (without acquainting the Houses) to break up any mans house, and take away the Armes and Money intended to defend and feed him (if they shall see cause to suspect that he meant to assist his Sovereign with them) and may well be as fully and implicitly trusted to Declare, as to Act, whatsoever they please. And though We doubt not but to their utmost they will continue that injury to Us, and that violation of the Subjects Liberty and of publick Right, to vex and imprison those who shall publish any of our Answers to their Declarations (and indeed whilst they affirm against all Truth, and command against all Law, it concerns them to take care that nothing be heard but what they say ;) yet Our comfort is, that Our Intentions and the Duty of Our Subjects are so well and so generally known to Our People, that We cannot fear (from whomsoever it come, and though no Answer came out with it) that either what is there said should be believed, or what is there commanded should be obeyed. Who knows not that Our Commissions for Horse and Foot were not granted out till not onely Our Prerogative, but Our Propriety, Our Goods, Arms, Towns, *Militia* and Negative Voice were taken from Us, and all the Kingdom commanded to be in Arms, and invited to bring in Horse, Plate and Money, to frame an Army against Our Command and Proclamation, and till Horse were raised and mustered accordingly ; and then, with no Intention (nor hath any Action in any of Our Ministers given the least suspicion of such an Intention) by them to compell Our Subjects to submit to Our Commissions of Array, or make use of them

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against

against the Parliament, but to regain *Hull*, held out in Rebellion against Us, and to suppress all such as without Our Authority and against Our Commands should raise Forces in this Our Kingdom, and levy Warre against Us, under pretence of any Order or Ordinance of one or both Houses? And such traitorous Assemblies and Marches have been the only lawful and necessary Occasions of Our good Subjects, which have not been so much as interrupted by any Troops of Ours. And what is affirmed of the spoiling and killing them as they were so travelling under Our Protection, and according to Law, is a most malicious Affirmation, as well without truth as without instance, invented at once to make Our Troops terrible, and Us odious to Our People. What care have We taken that by this means the power of the Sword should not come into the hands of Papists, who have by Our Proclamation strictly charged that no Papist should presume to lift himself either as Officer or Souldier in this Our Army, having directed how he should be discovered if he did presume, and suffer if he were discovered? What care have We taken to avoid Combustion and Civil Warre, offering to lay down Our Arms when they shall have lay'd down theirs, in whom it was Treason to take them up, and restored Us those things which could not, without Treason as well as Injustice, be forced away and kept from Us, Our Armes, Ships, Town, &c. and when We might meet both Our Houses in a safe and secure place to debate freely of all the Differences in a Parliamentary way? And by whose Influences these Propositions were rejected, and whether the Proposer or Rejecters were most careful to avoid this Ruine and Desolation of the Kingdom, We leave all the world to judge; and whether they, who divert the men and money collected for the relief of Distressed *Ireland*, to raise Forces against their Prince (Who asks them nothing but what is Legal, nor will deny them any thing that is) do not joyn with the Popish and Jesuitical Faction in the bloody Massacre of many Thousand Protestants in that miserable Kingdom. We propose likewise to every mans judgement, whether the declaring those to be Traitors who execute Our Commission of *Array* (issued in so many Kings Reigns, agreed upon by Parliament, and there yielded to by the King to be settled, as now it is, as a matter of great grace; and since that time, which

was

was in the 5. *Hen. iv.* in no Parliament complained of) whilst Our good Subjects are vexed and imprisoned, not onely for resisting, but for humbly petitioning so as may seem but to insinuate something against their most illegal Commands concerning the *Militia*; (To which power of commanding no Title can be made by any Statute or any Precedent; nor can We ever finde by search, nor obtain to be told, what those Fundamental Laws are by which it is pretended: so deep those Foundations are laid, beyond all means of discovery) and the declaring that those who raise men by virtue of Our Command and Commission (the onely Legal way) traitorously and rebelliously levy Warre against the King, and ordaining it to be lawful for all Our Subjects by force of Arms to resist them and their Accomplices; and the raising of Forces by Authority of Parliament (that is, by the remaining part of both Houses) never in the most outrageous times before attempted, and commanding several persons, whom they call Lieutenants, to lead, and giving them power to transport from one County to another the Forces of several of Our Counties against them, and to kill and slay all such as by force shall oppose them, Our Self not excepted, commanding all Our Officers and Subjects to be assisting to them, and undertaking to secure them for so doing by the Power and Authority of Parliament (which is first to allow, and next to command, and then to pardon Treason;) be not to have already subverted, as much as in them lyes, the Liberty of the Subject, the Law of the Land, and altered the antient Government of the Kingdom, leaving Our Subjects without all Rule to walk by, when the most clear Laws cannot direct and secure them, and they see all those antient bounds passed over; which were ever as much known to be the Duty of both Houses to observe, as it was evident that there were, and that it was necessary that there should be, Two Houses of Parliament, and at once behold the Law (which is to defend and protect the Subject) and Us (Who are to protect and defend the Law) need Defence and Protection. We doubt not therefore but all Our good Subjects will come in to Our Assistance, and that this wicked Charge of intending to introduce Popery, Idolatry, and Arbitrary Government, laid by Implication upon Us (because We defend Our Selves, and would recover Our own) will be so farre from

being a Motive against Us, that this intolerable Indignity and damnable Scandal (so daily and visibly confuted by all Our Professions and Actions) will encrease Our good Subjects zeal towards Us, and their Indignation against the Contrivers ; and they will esteem themselves obliged by the Religion of Almighty God to oppose this Warre, so impiously, so treasonably, and so groundlessly made upon Us their King and His Anointed.

We therefore require all Our Commissioners of Array, Sheriffs, and all Our other Officers and Ministers , to raise all the Power and Forces of their severall Counties to assise the Marquess of *Hartford*, the Earl of *Northampton*, the Lord *Willoughby of Eresby*, the Lord *Dunsmore*, the Lord *Paulet*, the Lord *Seymour*, *Henry Hastings* Esquire, Sir *John Stawell*, Sir *Ralph Hopton*, *John Digby* Esquire, and all other, in the legal and necessary Execution of Our Commissions of Array, and in the raising and conducting of such Horse and Foot as shall be raised by Our Commission ; and by force of Arms to oppose the Earl of *Essex*, the Lord *Say*, and all other that shall raise or conduct any Forces raised by pretence of Authority of both Houses ; and the Persons of all such Traitors, and their Adherents and Accomplices, to Arrest and Imprison, to the end they may be brought to a fair and legal Trial by their Peers, and according to the Law. And this We require from them, as they tender the Defence of Our Person, the true Religion, the Law of the Land, the Liberty and Property of the Subject, and the true and just Privileges of Parliament. And for so doing they shall be defended and secured by Us, and by the Law ; with whom and with which We doubt not but Our Subjects will sooner chuse to live and dye, then with the Earl of *Essex* and his Adherents.

By

By the KING.

A Proclamation for the suppressing of the present Rebellion under the Command of Robert Earl of Essex.

MDCXLII.
Aug. 9.

And the gracious offer of His Majesties free Pardon to him, and all such of his Adherents as shall within six dayes after the date hereof lay down their Arms.

WHereas now at the last those Seditious and Traitorous Counsels and Consultations which have been long in design, and which long since We foresaw, have produced such manifest and open effects of Treason and Rebellion against Us, that there are already great numbers of Horse and Foot Raised, Arraied, Mustered and Trained, under pretence of Authority of Our two Houses of Parliament, without and against Our Consent, in and about Our Cities of *London* and *Westminster*, in a warlike manner, and there are many more in Raising with speed; and *Robert Earl of Essex*, by the said pretended Authority, without Our Consent, hath been nominated to be Captain General of those Troops and Forces, and forgetting the Duty and Allegiance which he oweth to Us his Sovereign, hath taken upon him and accepted that Title and Command of Captain General, and in that quality appeareth amongst the Souldiers, animating and encouraging himself and them in these Traitorous and Rebellious Designs; and, as it is now notoriously known, the said Earl and his Adherents intend speedily to march from thence towards the North, where We now reside, and in a warlike manner to assail and oppose Us, and those who shall attend or assise Us, under pretence of defending Our Person and the two Houses of Parliament, and prepare traitorously to surprise or besiege Our Town of *Portsmouth*, and to possess themselves thereof with force, the same being a Town and Port of great importance in the Western parts of this Kingdome, and also to surprise, or by force to take and possess themselves of all other Castles, Forts and places of strength within this Kingdom; and all this to strengthen them and their Party in these their Trai-

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torous

torous and Rebellious Designes ; all which are not now taken up by Us upon Information of others, and by Conjecture, but do manifestly appear to the whole World, by that insolent and prodigious Commission of Captain General over the whole Kingdom of *England* and Dominion of *Wales*, which in the name of the two Houses of Parliament is granted unto the said Earle, but hath indeed been contrived by some few Malignant persons, Members of either House, whereby they have mentioned to conferre upon him, and the said Earl under that colour hath assumed unto himself, those Titles, and begun to put in execution those Powers and Authorities which are inconsistent with Our Sovereignty ; all which is so done contrary to all Rules of Religion, Laws, Allegiance, or common Honesty :

We do now therefore publish and declare by this Our Royal Proclamation, That the said publick and notorious Acts and Actions of the said Earl are Acts and Actions of High Treason, being a manifest levying of Warre against his natural Liege Lord and King, expressly within the words and meaning of the Statute made in the twenty fifth year of King *Edward* the Third, declaring the same, of which in Law there neither is nor can be any doubt ; and that the said Earl of *Essex* is a Rebel and Traitour unto Us and to Our Crown, and that he, and all Colonels, Captains and Officers, which upon notice hereof shall not immediately quit their Commands under him, or any others, by the like unlawful and usurped power without and against Us, are also guilty of High Treason within that Statute, and ought to be adjudged and esteemed and proceeded against as Traitors and Rebels.

And yet, out of Our Grace and Clemency towards such of Our Subjects as have been abused and misled by the said Earl, and such others as joyn themselves with him in these desperate Courses, and to preserve the Peace of this Kingdom, (if it be possible) and to avoid the shedding of blood, We abhorring the name of a Civile Warre, if it can by any good means be avoided, do by this Our Royal Proclamation admonish the said Earl, and all Our Subjects whom it may concern, which are now already joyned, or shall joyn themselves to the said Earl in this act of Hostility, that forthwith they lay down their Arms, as well Horse as Foot, and all
other

other preparations for the Warre, and instantly, without delay, return to their own homes and habitations, and there quietly and peaceably imploy and bestow themselves in their proper Vocations and Callings, and that hereafter they meddle not or interpose themselves in these or any the like Rebellious and Traitorous Undertakings or Actions. Which if they do readily and really perform within six dayes after the date of these presents, We do hereby promise and undertake, in the Word of a King, that We will freely extend Our Mercy unto them, and grant unto them Our free and full Pardon for all that hath been or shall be committed before that time. But if they shall neglect this Our Grace and Favour now extended unto them, and persist in any acts of Hostility against Us, or not disband upon notice of this Our Proclamation, We shall esteem of them as Rebels and Traitors to Us and to Our Crown, and as publick Enemies to the happy Peace of this Kingdom; and that from thence We shall proceed against them and deal with them as Rebels and Traitors: and by the blessing of God, in whom We put Our confidence, and by the assistance of Our faithful and good Subjects, upon whose Fidelity and Affections We rely, We doubt not but We shall so prevail against all their Traitorous Conspiracies and Rebellious Machinations, as shall vindicate Our Honour and the Honour of Our Crown, preserve Our good and loyal Subjects from their Malice and Fury, and restore and settle the Peace of this Kingdom, and make the Delinquents so exemplary, as shall deterre others from ever attempting the like Insolencies.

And We hereby require and command all Our Commissioners of Array, Leiutenants, Deputy-Leiutenants, Sheriffs, Justices of Peace, Maiors, and all other Our Officers, Ministers, and loving Subjects, that they and every of them in their severall places doe their best and uttermost endeavours to resist and subdue the said Earl and his Adherents, and those who shall assist them or any of them, and to apprehend, or otherwise to destroy them and every of them, that so they may receive condigne punishment for their Disloyalty; and that they be ready, according to their Duties and Allegiance, to assist Us, and those Our good Subjects who do adhere unto Us, according to Our just Commands in or concerning the Premisses.

And

And more particularly, We require and command Our Commissioners of Array, Lords Lieutenants, Deputy-Lieutenants, Captains and Officers of Our Trained Bands, of or in Our Counties of *Southampton*, *Sussex* and *Surrey*, that so many of them as to that purpose Colonel *Goring* shall call to his aid, as he shall see cause, shall, with such Forces as are under their command, repair unto Our said Town of *Portsmouth* to assist the said Colonel *George Goring*, Our Captain and Governour of the said Town, for the defence of the said Town, and to Oppose, Resist, and Destroy all those who under the command of the said Earl of *Essex*, or any other, shall attempt any Violence against the said Town.

And We do further require and command Our Right Trusty and Right Well-beloved Cousin and Counsellour, *William Marquess Hartford*, that with all speed he raise all the Forces he can within all or any the Counties contained within that Commission We have given unto him, whereby he is made Our Lieutenant General of all Our Forces within Our Counties of *Devon*, *Cornwall*, *Somerset*, *Dorset*, *Wilts*, *Southampton*, *Gloucester*, *Berks*, *Oxford*, *Hereford*, *Monmouth*, *Radnor*, *Brecknock*, *Glamorgan*, *Carmarthen*, *Pembroke*, *Cardigan*, Our Cities of *Excester*, *Bristol*, *Gloucester*, *Oxford*, *Bath* and *Wells*, new *Salisbury*, and *Hereford*, and the Counties of the same, the Towns of *Pool*, and *Southampton*, and *Haverford-West*, and the Counties of the same; and with the Trained Bands of those Counties, and others who shall voluntarily offer their Service, to march against the said Earl or any others under his command, or under the command of any others not authorized by Us, and them to Resist, Oppose and Subdue; and especially for the defence of the said Town of *Portsmouth*, and for the Isle of *Wight*, in Our County of *Southampton*, as there shall be occasion.

And We do hereby desire and require Our loyal and loving Subjects of and within the said Counties, being of the Trained Bands or voluntary Levies within the said Commission, to repair with their Horse and Foot, well Armed, Arrayed and Furnished, to such place or places as the said Marquess shall appoint; and that they, and all other Our good and loving Subjects within this Realm, shall, according to such Directions as We shall give to that purpose, repair to Us at such place where We shall pitch
and

and set up Our Royal Standard, and where We purpose in Our own Person to be present, and there and in such places whither We shall conduct them, or cause them to be conducted, to serve Us for the Defence of Us, and of Our Kingdome, and of the true Protestant Religion, and the known Laws of the Land, and the just Liberties of Our Subjects, and the just Privileges of Parliament, and to suppress the notorious and insolent Rebellion of the said Earl and his Adherents, and reduce them to their due Obedience, and for re-settling of the happy Peace of this Kingdome.

And in this time of urgent Necessity, which so much importeth the Safety and even the very Subsistence of Us and Our Good People, We shall take it as an acceptable Service to Us, and much conducing to the Peace of Our Kingdome, if Our loving and wel-affected Subjects within Our said Counties contained within Our Commission granted to the said Marquess, do and will chearfully and voluntarily contribute unto Us, and give unto Us such assistance in Money or Plate as they shall think fit, by loan or otherwise, to be delivered to the hands of the said Marquess, or of the Commissioners of Array for those several Counties respectively, to be disposed of to this publick use, and not otherwise; and that Our loving and well-affected Subjects of all other the Counties of this Kingdome will, to the same use and not otherwise, contribute unto and assist Us in like manner such Contribution and assistance, to be paid and delivered to Our use into the hands of Our Commissioners of Array for those other Counties respectively, or to such of them as they shall nominate and appoint to that purpose.

And lastly, in all these Our just and necessary Commands, We require that ready Obedience from all Our Commissioners, Sheriffs, Justices of Peace, Maiors, Constables, and other Officers and loving Subjects, in their several and respective places, which appertaineth to their several Duties, as they tender Our Honour and Safety, and the Honour, Safety, Peace and Prosperity of the Church and Kingdome of *England*, and as they will answer their neglects at their uttermost perils.

*Given at Our Court at York, the ninth day of August, in
the eighteenth year of Our Reign, 1642.*

By

By the KING.

A Proclamation by His MAJESTIE, requiring the Aid and Assistance of all His Subjects on the North side Trent, and within twenty miles Southward thereof, for the suppressing of the Rebels now marching against Him.

WHereas divers Persons, bearing an inward Hatred and Malice against Our Person and Government, and ambitious of Rule and places of Preferment and Command, have raised an Army, and are now Traitorously and Rebelliously (though under the specious pretence of Our Royal Name and Authority, and of the defence of Our Person and Parliament) marching in battell-array against Us their Liege-Lord and Sovereign, contrary to their Duty and Allegiance, whereby the common Peace is like to be wholly destroyed, and this flourishing Kingdome in danger to perish under the miseries of a Civil War, if the Malice and Rage of these Persons be not instantly resisted: And as We do and must rely on Almighty God (the Protector and Defender of his Anointed) to defend Us and Our good People against the Malice and pernicious Designes of these men, tending to the utter Ruine of Our Person, the true Protestant Religion, the Laws established, the Property and Liberty of the Subject, and the very Being of Parliaments; so We doubt not but Our good People will in this necessity contribute unto Us, with all Alacrity and Chearfulness, their assistance in their Persons, Servants and Money, for the suppression of the same Rebellion: And therein We cannot but with much contentment of heart acknowledge the Love and Affection of Our Subjects of Our County of York and divers other Counties, in their free and ready assistance of Us, which We shall never forget; and Our Posterity will, as We hope, ever remember, for their good.

Nevertheless, in this Our extreme necessity, though We have been most unwilling, We are now inforced, for Our most just and necessary Defence, again to call and invite them, and all other Our Subjects of the true Protestant Religion, residing on the North-side of Trent, or within twenty miles Southward thereof, whose hearts
God

God Almighty shall touch with a true sense and apprehension of Our Sufferings, and of the ill use which the Contrivers and Fomenters of this Rebellion have made of Our Clemency and desire of Peace, That, according to their Allegiance, and as they tender the Safety of Our Person, the Property of their Estates, their just Liberties, the true Protestant Religion, and Privileges of Parliament, and indeed the very Being of Parliaments, they attend Our Person upon Monday, the two and twentieth day of this instant *August*, at Our Town of *Nottingham*, where and when We intend to erect Our Standard-Royal in Our just and necessary Defence, and whence We resolve to advance forward for the suppression of the said Rebellion, and the Protection of Our good Subjects amongst them from the burthen of the Slavery and Insolence under which they cannot but groan till they be relieved by Us.

And Welikewise call and invite all Our Subjects of the true Protestant Religion in the remoter parts of this Our Kingdome, to whom notice of this Our Proclamation cannot so soon arrive, That with all speed possible, as they tender the forenamed Considerations, they attend Our Person in such place as We shall then happen to encamp. And such of Our said Subjects as shall come unto Us (either to Our said Town of *Nottingham*, or to any other place where We shall happen to encamp) Armed and Arrayed, with Horse, Pistols, Muskets, Pikes, Corslets, Horses for Dragoons, or other fitting Arms and Furniture, We shall take them into Our pay, (such of them excepted who shall be willing as Voluntiers to serve Us in this Our necessity without pay.) And whosoever shall in this Our Danger and Necessity supply Us either by Gift or Loan of Money or Plate for this Our necessary Defence, (wherein they also are so nearly concerned) We shall, as soon as God shall enable Us, repay whatsoever is so lent, and upon all occasions remember and reward those Our good Subjects, according to the measure of their Love and Affections to Us and their Countrey.

*Given at Our Court at York the twelfth day of August,
in the eighteenth year of Our Reign, 1642.*

His MAJESTIES Declaration to all His Loving Subjects, of the 12th of August, 1642.

TIS more then time now, after so many Injuries and Indignities offered to Our Royal Person, so many Affronts and Scorns put upon Our Kingly Office, so many Scandalous, Seditious and Traitorous Pamphlets against Our Self and Our Government, to vindicate Our Self from those wicked and damnable Combinations and Conspiracies, which the implacable Malice and insatiable Ambition of some Persons have contrived against Us; and to let all Our loving Subjects know how much they are concerned in Our Sufferings, and how much their Peace and Security is shaken in the Assaults which are made and the Wounds which are given to Our Honour and Authority, and (how specious soever their pretences are of Religion and Liberty) that in truth their end is nothing but Anarchie and Confusion in either. In the relation and consideration whereof (though We take no delight in the sharpness and bitterness of expressions) 'tis no wonder if being compelled to take notice of Actions of an high and injurious nature, and to consider and answer words impetuously directed against Majestie it self, We be likewise enforced to use a Dialect rougher, and different from what We have used to treat in, ('tis a weapon We blush to find Our Self put to exercise:) and We call the Almighty God to witness, That though We were extremely sensible of the violent and unjustifiable Impositions upon Our Royal Office and Authority, of the apparent Hazard and Danger which threatned Our own Person and Safety; yet not so much the particular consideration of Our Self hath engaged Us in the resolution We have now taken, as the publick Care of the true Protestant Religion, the Preservation of the Law, and the Liberty of the Subject, and the upholding the whole Frame and Constitution of this Kingdome, so admirably founded and continued by the Blessing of God and the wisdom of Our Ancestours, to the wonder and envy of all the neighbouring Kingdoms, which the Faction and Ambition of a few discontented spirits, with their counterfeit shews of Religion and pretences

pretences of Liberty, endeavour to shake and rend asunder; and to bring Our Self, and all the Subjects of this Kingdom, into perpetual Subjection unto their vast, unlimited, Arbitrary, Seditious Jurisdiction.

We shall begin Our discourse from the beginning of this Parliament, (for of the unhappy Dissolution of the last, by the mis-information and advice of some persons, looked upon now under another Character, We shall forbear to speak, being resolved that no disregard or undutifulness of other men towards Us shall ever prevail with Us, to doe what We think unsuteable to the Honour and Reputation of a Just Prince and of a good and loving Master.)

When We resolved to summon this Parliament (which We did out of Our own earnest and affectionate desire to beget a good and right intelligence between Us and Our People, and before the meeting of Our great Council at *York*, and uncompelled by any violence, but of Our love to Peace) We presented to Our Self the unhappy Condition wherein the state of this Kingdom then stood, considered the nature of the Pressures, (then more freely represented to Us) which in themselves were grievous to Our good Subjects, and in the Consequences of them might appear more terrible. We took a full and clear prospect of the Inconveniences and mischiefs which had grown by the long intermission of Parliaments, and by the parting too much from the known Rule of the Law to an Arbitrary power; and upon the whole resolved (without putting any Gloss upon Our own former Commands, or endeavouring to make any excuse for the Actions of Our Ministers) That the measure of Our Justice and Favour, by way of Reparation, should far exceed the proportion of the Sufferings Our good Subjects had undergone by Us, which We were confident would beget so mutual an Affection and confidence between us, that such a foundation of firm and stable Happiness would immediately have been laid for the whole Kingdom, that all memory of former Grievances would have been easily buried, and that this Parliament should receive a glorious celebration both by King and People to the end of the world. And therefore upon the first Convention, on the third of *November*, We declared Our resolution in that point, and then, or soon after, desired, that whatever mistaking had grown in the Government either of Church or

State might be removed, and all things reduced to the Order of the time (the memory whereof is justly precious to this Nation) of Queen *Elizabeth*: and for any expression of their Affection to Us in supply of Our known Necessities, We were so farre from pressing, We resolved not to think of it, till all Our good People should be abundantly satisfied in all necessary provision for their Liberty and Property, and whatsoever else might disturb them in their Estates or Consciences. How firmly We have kept Our Self to this Resolution is evident to all the world.

At the beginning of the Parliament We quickly discerned, by some Circumstances of their proceedings, that they meant not to confine or contain themselves within the Paths of their Predecessors; which We imputed to the disorder and impatience the former Sufferings of the Kingdom had begot in them; and therefore We resolved to take no exceptions to any particular, but to doe Our part in any point of Reformation as soon and as often as any opportunity should be offered unto Us, believing that as soon as they should find themselves restored to their old security, and the matter and substance of their Doubts and Fears to be removed, they would easily and willingly reduce themselves into their good old way, and apply themselves to the usual form of their Predecessors in the course of their proceedings. And though We well knew the Combination entred into by several persons for an alteration in the Government of the Church, which could not but have an Influence upon the Civil Government of the State too, and observed that those men had greatest Interest and power of perswading in both Houses who had entred into such Combination; yet Our Resolution was so full for the publick satisfaction of Our People, that We believed even those men would either have been converted in their Consciences by the clearness and justice of Our Actions, or would have appeared so unreasonable, or been discovered so seditious, that their Malice and Fury would not have been able to have done mischief. And therefore We took no notice of the great labour and skill the prime Leaders amongst them had used to get men of their Faction nominated and elected to serve as Members of the House of Commons, and did use to remove others (whom they knew to be of different Opinions) though they were fairly and legally elected; wherein

wherein there was no other measure or Rule of Justice observed, then singly with reference to the Opinions or Affections of the Persons; witness (besides their putting out or keeping in men upon questionable Elections, without the least colour or shadow of Justice) their Order whereby they at one clap expelled a very great number of Persons fairly elected by their Countrey, upon pretence that they had some hand, or their names used in some Project, Monopoly or Patent, without charging them with any Crime, or to this day proceeding against them: and yet they continue amongst them Sir *Henry Mildmay*, Master *Laurence Whitakers*, and others (whose Affections and Opinions they are well pleased with;) though the first of them is notoriously known to be the chief Promoter of the business of the Gold and Silver Thred, (a Commission complained of, viewed and examined, and therefore his name might have been easily taken notice of;) and the other as conversant, and as much employed as a Commissioner in matters of that nature as any man. We speak not this to excuse Monopolies (the Inconveniences of which We are sensible of, and shall for the future prevent) but to shew the partiality of that Faction, and the use they make of them to their own advantage.

The first Remedy (after the impeaching several Persons of High Treason whom they looked upon as the chief causes of the publick Sufferings) they proposed was, The Bill for the Triennial Parliament: to the which, though We might justly have paused upon several Expressions and Clauses in it, and might very well have insisted upon Our old Privilege and Custome, not to pass any Bill till the end of the Session; yet since We really did believe most of the Mischiefs then complained of proceeded from the too-long intermission of Parliaments, and were resolved for the future to communicate freely and frequently that way with Our Subjects, We passed over those Exceptions, and consented to it, especially upon this Confidence, That when such other Acts should be agreed upon for the ease and security of Our People as We desired and expected should be preferred to Us, this Act would be a sufficient earnest and assurance that all those Acts should be faithfully observed by Us, and so there should be no room left for any Fears and Jealousies, which might prevent that mutual Confidence between

Us and Our People We earnestly desired to raise: and for some time after the passing this Act We found such an acknowledgement from both Houses of Our singular Grace and Favour in consenting to it, and so great expressions of their Affections and purposes towards Us, that We believed the sense of it would never have been forgotten, and were as much pleased that We had taken that way of obliging Our People, as they were with the Benefit it self.

But We were very well able to discover, that whatsoever seemed to be asked of Us or to be complained of to Us, there was still a Faction of a few Ambitious, Discontented and Seditious persons, who, under pretence of being enemies to Arbitrary Power, and of compassion towards those who out of Tenderness of Conscience could not submit to some things enjoined or commended in the Government of the Church, had in truth a desire (and had entred into a Combination to that purpose) to alter the Government both of Church and State; which they were yet to disguise, till by their Art or Industry they had infected some with their Opinions, and by their cunning Demeanour and Managery of the publick Interests they had seduced others to an implicit confidence in their Power, Wisdom and Integrity. And against this Designe We onely opposed a resolution to contribute all Our assistance for the Peace, Happiness and Security of Our People, and so to convince their Understandings (if their Errour proceeded from Weakness) that no alteration could produce that Happiness they imagined, and (if their natures were capable of such Trusts) to take some of the chief of them so near Us, that they might be witnesses of Our Actions and privie to Our Counsels, that either Ingenuity or Gratitude might recover them from their desperate Inclinations. Hereupon, because most of the Grievances of Our People were conceived to proceed from the great liberty of Our Council-board, or from some Orders and Directions from them, We admitted to Our Privy Council seven or eight of those Lords who were eminently in esteem with Our People for their reputation of Honour and Justice; some of whom We knew to be most passionately dis-inclined to the present managery of Civil affairs and to the Government of the Church; and hoped that by a free communication of their Doubts, Opinions
and

and Counsels, they would have received that satisfaction, that they would have been excellent Instruments of a blessed Reformation and Confirmation in Church and State. Having begun with this foundation of Confidence in Our Court by electing such Persons, We made the same hast to apply particular Remedies to the visible known Diseases, resolving those Remedies should be proportioned to the Counsel and Desires of both Houses, which We thought the surest way to win at least a major part to the confession and acknowledgement of Our Justice and Affection. The Starre-Chamber had in the excess of Jurisdiction, or tediousness and charge of Proceedings, or measure and severity of Punishment, invaded the Laws of the Land and Liberty of the Subject by the exercise of an Arbitrary Power: We pressed not the Reformation of this Court, though erected or settled by Act of Parliament in a wise time; but, at the instance of both Houses, consented to the Abolition of it. The High-Commission Court had proceeded with too much strictness in many cases, where the Tender Consciences of many of Our weak Subjects were concerned, and had so farre out-grown the power of the Law, that it would not be limited and guided by it, but censured, fined and imprisoned Our People for matters unpunishable by the Law: We pressed not the Review of that Statute by which that Court was erected, that such power might be qualified and provisions altered as had been grievous to the Subject, nor desired that any other care might be taken for the upholding the Ecclesiastical Discipline then what the wisdom and piety of both Houses should think necessary; but, in compliance to the sufferings of Our People and the desires of both Houses, consented to the Repeal of that branch of that Statute. The Writs for Ship-money, whereby several summes of money had been received from Our good Subjects for defence and safeguard of the Kingdom, had lain heavy upon Our People, yet were judged to be Legal: Both Our Houses of Parliament declared that the grounds and reasons of that Judgement (being, That when the good and safety of the Kingdom in general is concerned, and that the whole Kingdom is in Danger, We might compel our Subjects to provide Ships, Men and Victuals, for the defence and safeguard of the Kingdom; and that We were the sole Judge of that Danger, and how the same might be prevented) were

contrary to and against the Laws and Statutes of this Realm, the Property and Liberty of the Subject, and to the Petition of Right: without disputing Our Right, We were contented that all the proceedings in that business should be adjudged void and disannulled, and the Judgements, Enrolments and Entries thereupon should be vacated and cancelled, in such manner as was desired. Under colour of executing the Forest-Laws, and of keeping the Justice in Eyres Seat, very many Persons had been grieved and vexed by Presentments, Fines, Judgements and Imprisonments, the Meets, Limits and Bounds of Forests extended, and some endeavours been made to set on foot Forests where in truth none had been: We no sooner received complaint of this, but We passed an Act for the certainty of the Meets, Limits and Bounds of all the Forests in *England*, with such further Provisions for the ease of Our Subjects as were desired at Our hands. If by the negligence or wilfulness of persons trusted by Us any Grievance or inconvenience had been contracted in any part of Our Kingdom, (which seemed not to have so general an influence upon the whole) upon the first clear Information We did Our part for the easing of them; and therefore We passed, for the benefit of Our good Subjects of *Devon* and *Cornwall*, an Act against divers Incroachments and Oppressions in the Stannary-Courts. And We were so confident this way to win the Hearts and Affections of all Our good Subjects, and that both Our Houses of Parliament would at last finde a time to give too, that We made their Asking the only Rule to Our Grants, and parted with any thing they desired Us to relinquish. So in the Preamble to the Bill of Tonnage and Poundage, We parted with Our Title of Imposing; a Power adjudged good, and exercised by Our Ancestors, and though disputed, never resolved against by Judgement in Parliament. So in the Act for regulating the Office of Clark of the Market, because the undue execution thereof had been grievous to many of Our loving Subjects, We consented, that no Clark of the Market of Our House shall hereafter execute His Office in any part of Our Kingdom, but onely within the verge of Our Court, and granted the Execution of that Office to the Maiors and Bailiffs of Towns Corporate, and to the Lords of Liberties and Franchises, and to their Deputies. So, because about the beginning of Our Reign several

Writs

Writs had issued out of Our Court of Chancery in the business of Knighthood, and been transmitted with their Returns into Our Court of Exchequer, where the proceedings were not fit and warrantable, We were contented, by the Act for the prevention of vexatious proceedings touching the Order of Knighthood, absolutely to part with and discharge a Right and Duty as unquestionably due to Us by the Law as any Service We can challenge. So (which is the highest instance of Trust that ever King gave His Subjects) upon Information that Credit could not be obtained for so much Money as was requisite for the relief of Our Army and People in the Northern parts, for preventing the imminent Danger the Kingdome was in, and for supply of Our present and urgent Occasions, for fear the Parliament might be dissolved before Justice should be done upon Delinquents, publick Grievances be redressed, a firm Peace between the two Nations of *England* and *Scotland* concluded, and before provision should be made for the repayment of such Moneys as should be so raised (though We knew what power We parted from, and trusted Our Houses with, by so doing, and what might be the Consequence of such a Trust if unfaithfully managed) We neglected all such suspicions, which all men now see deserved not to be slighted, and We willingly and immediately passed that Act for the continuance of this Parliament, being resolved that it should not be Our fault if all those particulars were not speedily provided for, which seemed then to be the grounds of their desire. Let all the world now judge what greater Obligations of Justice, Favour, Affection and Trust, can a Prince lay upon His Subjects, then We did upon both Our Houses of Parliament by these Acts; and whether We did not, in Our free Grace and Favour, grant much more then had been asked of Us by that Petition presented to Us by some Lords at *York*, in which was then thought to be contracted all that was grievous to Our People, and all that was just and gracious for Us to doe for them. And in all the time in which these Acts were framing and passing, though Our own personal Wants were notoriously known and unkindly unprovided for, and themselves had asked leave to look into and settle Our Revenue, which We consented to, and therefore We might have expected some fruit of that pretended Care, We never pressed them, or made the least overture to them

for

for Our own supply; onely desired them (and 'twas almost the only thing We did desire of them) that they would use all possible expedition in the business of the Treaty, that the two Armies might be speedily disbanded, and Our Subjects eased of that heave burthen which in time would grow insupportable, and waste the whole stock of the Kingdom. But We found the Faction We feared in the beginning grew still stronger, and nothing converted or reconciled by all those Acts of Ours, which would have made any Nation happy; That whilst We were busie in providing for the publick, they were contriving particular Advantages of Offices and Places for themselves, made use under-hand of the former Grievances of the Subject in things concerning Religion and Law, to change the Religion and Law of this Kingdome, labouring, that neither any thing the Subject had suffered from the Crown might be forgotten, nor any satisfaction from the Crown to the Subject might be remembred. And therefore in stead of acknowledging Our great Justice and singular Favour in passing those Acts, they infused into Our People, that We passed them unwillingly, (whereas We never made the least pause upon any of them but one, that for the High-Commission Court; and whether that was penned with that wariness and animadversion, that there be not more determined by it then the major part of both Houses intended at the passing of it, let themselves judge) and that We meant not to observe them; and grew so much confounded with the full measure of Our Favour, that they would allow themselves no security of enjoying what We had freely given, but by taking away any power from Us of giving more, they must have a through alteration both in Church and State, or else they should never enjoy the benefit of the Reformation We had willingly made. Hereupon they oppose the disbanding of the Armies, and give all delayes to the Scots Treaty, though the Commissioners for that Nation very earnestly pressed the hastning of it, and in plain *English* declare, *That they cannot yet spare them, that the sons of Zerviah were too strong for them*: And finding more haste to be made in the asserting the Civil Interests then they desired, having a design to ingage this Kingdom into so vast a Debt, that there might be no way of paying it but by the Lands of the Church, and lest Our good Subjects might be too soon satisfied, they hastned on
to

to their design upon the Church; which they at first disguised with a purpose onely of removing the Bishops from their Votes in the Lords House. This Bill passed the House of Commons; in the House of Peers it endured several long, free debates; and in the end, upon great and solemn deliberation, was by the consent of very much the major part of that House absolutely rejected. This was no sooner done, but that Faction (glad of the miscarriage of their former Bill, the passing whereof they knew would have satisfied many of those whom they hoped now further to seduce) produced a Bill to be tendred in the House of Commons for the abolition of Bishops out of the Church of *England*, Root and Branch, (according to their first resolution, as Mr Pym told a Member of the Lords House by way of reproof, *That it was not enough to be against the Persons of the Bishops, if he were not against the Function,*) and for extirpation of all Deans and Chapters, and reducing that admirable Frame of Government and support of Learning into a *Chaos* of Confusion, that out of it they might mold an *Utopia* no six of them had, nor We believe yet have, agreed on, further then to destroy the present; and out of the goodly Revenue which the pious Bounty and Devotion of former Ages had been so long in raising, for the encouragement and advancement of Learning and Religion, and which God hath blessed with so many eminent men, whose Learning and Lives have advanced the Doctrine of the Protestant Religion, and many of them given their Bodies to the Fire, as a Sacrifice to that Truth and Religion, to erect Stipends to their own Clergie, and to raise estates to repair their own broken fortunes. And for the free passing of this Bill (which to this hour they could never tell what to make of) two Armies must be kept in the bowels of the Kingdome at 80000. pound a Moneth charge to the Commonwealth: For about this Bill the House of Commons was so wholly taken up, that in ten weeks none, or very little, other business could be thought of. About this time, or a little before, (after several Intimations of Treasons, Plots and Conspiracies by the Papists, of great Provisions of Armes by them, and training men under ground, and many other false reports, created, spread and countenanced by themselves) upon some general apprehensions of Designs against them, a Protestation is made in the House of Commons for some union and consent amongst them-

themselves, to perform those Duties which, if they had meant no more then they expressed, had been sufficiently provided for by the Oaths they had already taken, and what their former Duties obliged them to. Hereupon a Protestation is framed, and being put into such words as no honest man could believe himself obliged by it to any unlawful Action, was voluntarily taken by all the Members of the House of Commons, and presently recommended to the House of Lords; where it received the same countenance, that is, was looked upon as containing nothing in it self unlawful, though some Members of that House refused to take it, being voluntary, and not imposed by any Lawful Authority: Then 'tis recommended to the City of *London*, and over all the Kingdome, by order from the House of Commons (a strange and unheard-of Usurpation) to be taken by all persons. But in very few dayes, upon conference amongst themselves and with those Clergy-men who daily solicit their unlawful and unwarrantable designs with the People, they find they were by this Protestation so far from having drawn people into their Combination, that in truth all men conceived that they were even engaged by it against their main Design, by promising to defend the true Reformed Protestant Religion expressed in the Doctrine of the Church of England, &c. And thereupon some persons of that Faction prevailed, that after the Members of the Houses had taken it, a Declaration was set forth by the House of Commons, That by those words, *The Doctrine of the Church of England*, was intended only so far as it was opposite to Popery, and Popish Innovations, and that the words were not to be extended to the maintenance of the *Discipline and Government*, &c. And so under this Explication and Declaration published only by the House of Commons, and never assented to by the House of Peers, this Protestation was directed to be generally taken throughout *England*: And to that purpose a Bill is drawn, passed the House of Commons, and sent up to the Lords; who, at the second reading, finding many particulars in it unfit to be so severely imposed upon the Subject, absolutely rejected it. Upon this ensued a new and unheard-of distemper in the House of Commons, as if it had been great presumption in the House of Peers to refuse any Bill sent from them, and thereupon a Vote passed in the House of Commons, That that House did conceive that the Protestation made by them

them is fit to be taken by every person that is well-affected in Religion, and to the good of the Commonwealth; and therefore doth declare, That what person soever shall not take the Protestation, is unfit to bear Office in the Church or Commonwealth; and ordered, That the Knights, Citizens and Burgeses should send down to the severall places for which they serve Copies of that Vote of the House concerning the Protestation, and that those Votes should be printed. Let all men judge whether before that time, from the beginning of Parliaments, the House of Commons had ever presumed to trench so farre upon Our Privilege, to make a Declaration so like Law without Us; or upon the Privilege of the Lords, to make and publish such a Declaration after they had rejected the Bill, and some of them refused to take the Protestation; or upon the Liberty of the Subject, so farre to impose any such thing upon them without consent of Parliament. Yet of this We took no notice, but pressed still the disbanding of the Armies, and interposed and quickned them in nothing else; which was again with all earnestness desired by the Scots at *Newcastle*, and pressed by their Commissioners at *London*. But a new Fright was now found to startle the People, and to bring Us into Hatred or Jealousie with them: the general Rumors of Treasons and Conspiracies began to lose credit with all men, who began to consider what they felt more then what others feared; and therefore they had now found out a Treason indeed, even ready to be put in execution upon the whole Kingdom, the Representative body thereof, a Plot to bring up the whole Army out of the Northern parts to *London*. A strange Plot indeed, which, considering the constitution of that time, no man can believe Us guilty of: and though they made great use of it, to the filling the mindes of Our People with fears and apprehensions, they seemed not then to charge Us with any knowledge of or privity to it. What they have done since all the world knows, notwithstanding Our many Protestations in that point. And We cannot but say, that by those Examinations of Colonel *Goring*, Sir *Jacob Ashly*, and Sir *John Conyers*, and Master *Piercy's* Letter, which is all the Evidence We have seen, and by which they seem principally to be guided, We cannot satisfie Our own private Conscience, that there was ever a resolution of bringing up the Army to *London*; and upon

the strictest examination We can make of that business, We can finde it to be no other then this: Observation being made of the great Tumults about *Westminster*, which seemed to threaten the safety of the Members of both Houses, at least of those who were known not to agree with the designs of that Faction We have before spoken of, and the manner of delivering Petitions by multitudes of people attested (or pretended to be so) by the hands of many thousands, against the known Laws and established Government of the Kingdom, which yet seemed to receive some countenance, and to carry some Authority, as instances of the Affections of so many persons; it fell into the thoughts of some Officers of the Army, of known and publick Affections to their Countrey, That a Petition of a modest and a dutiful nature from the whole Army, for the composing and settling all Grievances in the Church and State by Law, might, for the reason of it, prevail with the whole House, and coming from such a Body, might confirm those who might be shaken with any fears of Power or Force by the Tumults: and with this Proposition We being made acquainted, gave Our full approbation to it, taking great care that no Circumstances in the framing it or delivering it might be any blemish to the matter of it. This, We call God to witness, as We have done before, was all We gave Our Consent unto, or which We believe was ever intended to be put in practice. (What attempts other men made to seduce the Affections of the Army from Us is known to many.) If in the managery of this debate any rash discourses happened of bringing up the Army, it is evident, whether they were proposed in earnest or no, they were never entertained, and the whole matter laid aside above two moneths before any discovery; so that that Danger was never prevented by the Power or Wisdom of Parliament. And for the Petition it self, which hath been so often pressed against Us as a special Argument of Our privity to the bringing up the Army, after We have so fully and particularly answered every particular circumstance of that Petition, signed with C. R. We have herewith published a true Copy of that Petition, that all Our good Subjects may see how justly We have been traduced, and judge, when Petitions of all natures were so frequently and so willingly received, whether

ther such a Petition might not with modesty and duty enough have been presented unto them. And if in truth that designe of bringing up the Army had been then believed when it was first pretended to be discovered, which was about the middle of *May*, they would surely have thought it necessary to have disbanded that Army sooner then *August*, which no pressing of Ours nor of Our *Scots* Subjects could perswade them to doe: And We are sure Our Innocence in that matter would soon have appeared, if the large time to bring this business to a judicial trial had been made use of; if, contrary to all Custome, it had not been thought fit to publish Depositions before the parties concerned had been heard to make their Defence, or Witnesses cross-examined, though they attended above twelve moneths to doe it; and if some men had not believed that their general and violent expressions, affirming this to be a Plot equal to that of the Gun-powder-Treason, would sooner be believed if it were not publickly discussed, but left to every mans fancy to heighten according to his own Inclinations, and had not feared, that if the whole Examinations taken (and not such onely as they pleased to select) had come to light, it would have appeared by the Examination of Master *Goring* (purposely suppressed) with what intention that mention of bringing up the Army was made, with what earnestness it was opposed, and with what suddenness it was deserted: and many extenuations of and many other contradictions to what is now published would have appeared, and this impossible Stratagem, with which they have so much disturbed Our Subjects and reproached Us, could never have been made so much use of.

After all this readines in Us to doe whatsoever they desired of Us, and patience in suffering them to doe whatsoever they pleased to Us, We gave them warning, that if there were any more good Bills which they desired might pass for the benefit of Our Subjects, We wished they might be made ready against such a time, when We resolved, according to Our Promise to Our *Scots* Subjects (with which they were well acquainted) to repair into Our Kingdom of *Scotland*, to settle the unhappy Differences there. Upon this We were earnestly desired by both Our Houses of Parliament to deferre Our Journey thither, as well upon pretence of

the Danger, if both Armies were not first disbanded, as that they had many good Laws in readines for the settling the Differences here. We were by their entreaty perswaded to deferre Our Journey to a day agreed on by themselves, assuring Our Self that they would think themselves obliged against that time not onely to disband Our Armies, but so to prepare and digest the business of Parliament, that We might have made a Session before Our going. But that Malignant Faction was so prevalent, that the debate of the Bishops Bill took up most of their time, so that neither any care was taken for the disbanding the Army, nor any thing done that had any reference to the publick benefit : and when the time of Our stay was expired, and even the day come themselves had appointed, a new Address was made to Us for a longer stay of fourteen dayes, because the Treaty was not concluded, nor the Armies disbanded, which was the main ground of Our deferring it before. This Suit (which was the first We denied them) We could not grant, there being that necessitie with reference to Our Promise, and to the expectation of Our Subjects of *Scotland*, that it was not in Our power to satisfie them, as We informed both Houses Our self at a Conference ; and according to that necessity We undertook that Journey, not doubting but that when We should have dispatched the Affairs of that Kingdom, which We hoped speedily to do, and both Our Houses of Parliament should have refreshed themselves in the Visitation of those for whom they had so well provided by Our Favour, We should meet again with mutual Confidence one in another, and that it would be Our turn then to receive such Testimonies of that Confidence and Affection as We had deserved.

But the mischievous and indefatigable industry of that Malignant party, which had before Our going interrupted that Correspondence which We deserved from Our People, had with no less Malice provided for Our reception at Our Return ; in stead of reducing business to that head, that the Distractions of the Kingdom might be composed by the due observation and execution of the Laws, We found things farre more out of order then We left them, and Our good Subjects more puzzled to know their Duties. Orders had been made in the House of Commons and published in derogation of the

the Book of Common-Prayer, and for suspension of those Laws in force which concerned the Government of the Church: and though another Order of the Lords was likewise published according to Law for the due observation of the Laws established, and for suppressing those Disorders which were every day breaking out, by the faction of mean loose persons against the Divine Service appointed by Law, the House of Commons took upon them publicly to declare against that Order, because it was onely made with the consent of eleven Lords, and that nine other Lords did then dissent from it; whereas in truth the said Order was made in a full House in *January* before, and onely Ordered then by that difference of number to be printed, after the House of Commons had made (in a very thin House, and after it had been rejected by Vote) that illegal Order for such alteration in the Church: and if in truth it had been then made, and but by the oddes of two Voices, being in pursuance of the Law, all men will think it of much more validity then any Order of the House of Commons against the Law; which in truth hath no Authority to make any Orders in business of that nature. And therefore the publishing of that Order and Declaration of the ninth of *September* must be confessed by all men to be such a breach and violation of the Privilege of the Peers House, (besides the Affront offered to Us, and injury to Our good Subjects, and to the Law by it) that before this Parliament was never heard of; and was an apparent evidence, that they meant the whole Managery of the Kingdome and the Legislative power should be undertaken by the House of Commons, without the Consent either of Us or Our Nobility. Yet the Execution of this Order was with great Diligence and Animosity pressed upon Our good Subjects, and many troubled and imprisoned for not submitting thereunto. When they had made this breach upon the Ecclesiastical State, they took care (under pretence of encouragement of Preaching) to erect Lectures in several Parishes, and to commend such Lecturers as best suited with their Designs, men of no Learning, no Conscience, but furious Promoters of the most dangerous Innovations which were ever induced into any State; many of them having taken no Orders, yet recommended by Members of either House to Parishes, as at *Leusham* in *Kent*, and many other places:

And when Mechanick persons have been brought before them for Preaching in Churches, and confessed the same, the power of these Grand Reformers hath been so great, that they have been dismissed without Punishment, hardly with Reprehension. All persons of Learning and eminency in Preaching, of sober and vertuous Conversations, and great Examples in their Lives, even such as amongst these men had been of greatest estimation, and suffered somewhat for them, were discountenanced, and such men principally cherished, who boldly and seditiously preached against the Government of the Church, against the Book of Common-Prayer, against Our Kingly lawful Power, and against Our Person; many of which were commended to (if not imposed upon) Parishes, first by special Letters and earnest Sollicitations from the prime Leaders of this turbulent Faction, after by Orders requiring such Ministers as would not accept their Recommendations to attend and shew cause. All licence was given to those leud Seditious Pamphlets which despised the Government both of the Church and State, which laid any Imputations and Scorns upon Our Person or Office, and which filled the ears of all Our good Subjects with Lyes and monstrous Discourses, to make them believe all the ill of the Government and Governors of Church and State: Books against the Book of Common-Prayer and the established Laws of the Land suffered, without reprehension, to be dedicated to both Houses of Parliament; whatsoever the Rancour and Venome of any Infamous person could digest, published without controll; and nothing discountenanced and reproached, but a dutiful regard of Us and Our Honour, and a sober esteem and application to the Laws of the Kingdome. This was the condition We found at Our return from *Scotland*, besides a strange groundless apprehension of Danger infused generally into the mindes of Our good Subjects, as if some notable Designe were in hand against the Parliament, against the City of *London*, against the whole Kingdome of *England*. There fell out an Accident whilest We were in *Scotland* concerning the Marquesses of *Hamilton* & *Argile*; Those two Lords, upon some information given to them that their Persons were in danger, upon a sudden withdrew themselves from the Parliament in *Scotland*, and for some few dayes removed out of *Edenburgh*. Whatever they had been informed and whatever they suspected,

suspected, the Grounds of both were very fully examined by the
 Parliament there, their Persons being of that quality and estimation
 in that Kingdome that they were sure of Justice. Upon the whole,
 themselves and the Parliament were satisfied, that the Information
 first given to them could not be made good to the proof of any
 Design to the Danger of these Lords, and the Examinations of the
 whole matter sent by Our direction to Our Parliament here. How
 (if all had been true that was imagined) this business could so
 highly and nearly concern the Peace of this Kingdom, and the present
 Safety of both Our Houses of Parliament, We cannot imagine: Yet
 upon the first report of it here (which was the day before the first
 Meeting after the Recess) without staying to hear the opinion of Our
 Parliament there, who used all diligence in the examination, or
 of Our Parliament here, such strange Glosses and Interpretations
 were made upon that accident (not without reflection upon Us
 and Our Honour) as if at the same time there had been such a De-
 sign to have been executed here as they had fancied to themselves
 that to be; and a sudden resolution was taken, first by the Com-
 mittee during the Recess, after by the Houses, to have a Guard for
 the defence of *London, Westminster*, and both Our Houses of Parlia-
 ment: which must needs make a great Impression in the mindes
 of Our good Subjects, in a time when they were newly freed from
 the fears of two Armies, to be awaked with the apprehension of
 Dangers; of which seeing no ground, they were to expect no
 end.

Matters being thus stated, and all possible skill being used
 by that Faction, and by their Emissaries of the Clergy, (who at
 the same time, such Clamour was raised of the unlawfulness that
 the Clergy should meddle in Temporal Affairs, were their chief
 Agents to derive their Seditious directions to the People, and
 were all the week attending the doors of both Houses to be im-
 ployed in those errands) to infuse the most desperate Fears into
 the mindes of all men that could be imagined. To be sure that
 the memory of former bitterness might not depart, they provide for
 Our Entertainment against We should come to *London*, to present
 Us with a *Remonstrance* (as they called it) of the *State of the King-*
dom; laying before Us, and publishing to all the world, all the
 (O 4) mistakes

mistakes and all the misfortunes which had happened from Our first coming to the Crown, and before, to that hour ; forgetting the blessed condition (notwithstanding the unhappy mixture) all Our Subjects had enjoyed in the benefit of Peace and Plenty under Us, to the envy of Christendom ; objecting to Us the actions of some, and the thoughts of others ; and reproaching Us with matters which indeed never entred into Our thoughts , nor, to Our knowledge, into the thoughts of any other ; reviling Us to the People, and complaining to Us of the House of Peers (whose Authority , Interest and Privilege was then as much slighted and despised as Ours is since ;) and easily passing over those singular Acts of Our Grace passed by Us this Parliament, or ascribing them to their own wisdom in the procurement, they concluded against a Malignant Party, and that they had no hope of settling the Distractions of the Kingdom for want of concurrence with the House of Peers, and that concurrence was desperate by reason of the Prevalency of the Bishops and of the Recusant Lords, into which number all those Lords were cast who presumed to dissent from any Propositions made by the House of Commons. When this Engine was prepared for the People by the prime Leaders of that desperate Faction , it was presented to the House of Commons , and the greatest industry and skill used that is imaginable by private Sollicitations, Threats and Promises, to procure consent, that it might be passed by that House : and after a long debate (longer then ever was known in Parliament, till three of the clock in the morning, from ten the day before , when very many, through weariness and weakness, were forced to leave the House ; so that it looked (as was well said) like the Verdict of the Starved Jury) they carried it by eleven Voices. And shortly, within very few dayes after Our return (when We had been received with all possible expressions of Joy by Our City of *London* , which was publickly murmured against, and the chief advancers of that Duty and Affection discountenanced, as if they envied Us the Loyalty of Our People, and when it was publickly said in Our House of Commons, upon some dispute of a pretended breach of the Orders of the House , *That their Discipline ought to be severe, for the Enemy was in view*) that Remonstrance was presented to Us at Our Court , at
Hampton-

Hampton-Court, by some Members of the House of Commons, with a Petition (contracting the sharp Language in the Remonstrance into less room) amongst other things, That We would concur with Our People for depriving the Bishops of their Votes in Parliament, (for which there was then no Bill passed both Houses) and to employ such Persons about Us as Our Parliament might confide in. We received this strange Petition, and stranger Remonstrance, graciously from the hands of the Presenters, promised them an Answer, and in the mean time desired that the Remonstrance might not be published to the People; the thing it self, and the printing any thing of the like nature, being never heard of by the direction of the House of Commons till this Parliament, it being the first appeal to the People, and of a dangerous consequence to Parliaments themselves. But (as in other things neither Our Desires or Commands have been considered) without giving Us leisure to answer either the one or the other, special direction is given for the printing that Remonstrance, and equal care taken for the publishing it in all places and parts of the Kingdome.

Having taken this care for the shaking and perplexing the minds of all men, the next work was to get such a Power into their hands as might govern and dispose of those Affections. To this purpose they had from the beginning of the Parliament (by reason of some complaints against the immoderate exercise of the authority of the Lieutenants and their Deputies in raising Coat and Conduct-money, and some excesses in them) had several debates in the diminution of the Office it self; but still grounded upon the illegal Pressures used by them, and upon some words in the Commission it self, which (though of long usage in very happy dayes) were conceived not agreeable to the Law: but they were so far from supposing the Office it self or Commission to be illegal, that both Houses of Parliament had recommended two Lords to Us, and desired Our Commission to make them Lords Lieutenants of *Yorkshire* and *Dorsetshire*; the onely end seeming then to be, that good and approved men should be in those imploiments and trusts. But at last they resolved against the Office it self, and would think of some other way to provide for the Safety of the Kingdom in that point; and in this they had a double end: First, to fright all persons

His MAJESTIES Declaration

sons (Members of both Houses, who had been Lieutenants and Deputy-Lieutenants) to comply with them in their Votes, lest they should be called in question for the execution of those Offices (a Stratagem they had found to engage many persons to their Opinions, as Sheriffs for the collecting Ship-money, and all other persons who in truth were or might be made obnoxious to their Power :) then, that by unsettling that whole business of the *Militia* throughout the Kingdome, they might the more easily bring in their own power of governing it, as they have since endeavoured to doe. And thereupon they presumed to bring in such a Bill into the House of Commons, to place a General at Land and an Admiral at Sea by Act of Parliament, with such Power and Authority over the Lives and Fortunes of all Our Subjects, as should be liable to no controll nor to be questioned by any Superintendent hand, with a pre-pardon for whatsoever they should doe under colour of those Offices, either of which Officers should have been a much greater man then Our Self, and commanded in Our Kingdom above Us : the matter of which Bill, to shew their Designe, is since digested into their new Generals Commission, and the pretended Ordinance to the Earl of *Warwick*. And all this was then pretended to be a matter of absolute Necessity for the Preservation of Us and Our Kingdom; but at that time it could procure no other credit, then to be suffered to rest in the House as an evidence of the liberty might be used in the preferring of Bills. They had by this time taken all the licence at their private Cabals to undervalue and vilify Our Person and Our Power, and in publick, to give way and countenance to any Scandals upon Us. Letters from the Maior of *Phymouth*, that the Rebels in *Ireland* call themselves *The Queen's Army*, and pretend the King's Authority for what they doe, and store of such Discourses upon such Evidence is every week printed in the Journals of the House; which without doubt must be of great authority with Our People, who must conceive such Informations to be not onely fully and clearly proved, but to be accepted and published upon very weighty reasons above the consideration of Our Honour and Safety.

And now they were to examine what notable credit their Remonstrance and their other general Infusions had got with the
People,

People, and how ready they would be upon any occasions to venture themselves at their direction. They had made themselves so terrible in the House of Commons, that by their Threats and their Promises of Places and Preferments to several men, and by the absence of many, they had gotten the major part: But in the House of Lords their power was not the same; that must be wrought another way: yet there they had used all means to prevail upon the hopes and fears of such who they thought might that way be dealt with; witness, among many other things of the same nature, that insolent Speech of Mr Pym to the Earle of Dover, *That if he looked for any Preferment, he must comply with them in their waies, and not hope to have it by serving Us.* Shortly after their coming together upon the Recess, a new Bill was preferred in the House of Commons, for the taking away of the Votes of Bishops out of the House of Peers; which being once rejected before, ought not, by the Course and Order of Parliament, to have been admitted again the same Session: but that was easily over-ruled, and in the House of Commons it did pass, many good men the more willingly concurring therein, upon hope that that Bill being once consented to, the Fury of that Faction, which with so great Violence pursued an absolute Destruction of the Ecclesiastical Government, would be abated, or that Rage being discerned, they would loose that strength which supported them. But the Lords quickly found that the Ring-leaders of that Faction had not Ingenuity enough to be compounded with; and therefore with them it was not like to find so easie a passage. Now their resort was to the People, whom upon several occasions they had trained down to *Westminster* in great multitudes with Swords and Clubs, and had often sent for them when any debate was like to be carried against them in either House; the particulars whereof We are ready to prove.

Every man will conceive We were in a great streight, to find Our Self so much disappointed of that return the consciousness of Our own Merit and the many glorious Professions made by both Houses bade Us to expect. We saw the Laws absolutely trampled under feet, and a Designe laid to ruine the Government of the Kingdome, and to destroy Us and Our Posterity. We saw this Design carried by a few men, whose Hatred and Malice to Our Person We found implacable, and their Contempt of Us and Our Authority so visible and
notorious

notorious, that they forbore not to expresse it in their mention of Us in all companies. We saw their Power and Interest to be so great, that they were able to mis-lead very many honest men, and to countenance their actions under the name of both Houses of Parliament. We were resolved that nothing they should doe within those walls should provoke Us, till time and the experience good men should have of them should discover their purposes; therefore We applied Our self only to the Law, hoping that the Insolence and Licentiousness of the People might, by Our help, be curbed by that Rule. The Tumults grew so notorious and so dangerous, that they Threatned and Assaulted the Members of both Houses; whereupon the House of Peers (which it seems the Lords present at the passing of one of their late Declarations, wherein they deny there have been any Tumults, had forgot) at a Conference with the House of Commons twice very earnestly desired, that they would, for the dignity of Parliaments, joyn with them in a Declaration for the suppressing such Tumults. But the prevalency of that Faction was so great, that though complaint was made by Members in the House of Commons, that they had been assaulted and evil-intreated by those people, even at the door of their House, in stead of joynning with the Lords for the suppressing or punishing them, several Speeches were made in justification of them and commending their Affections, saying, *They must not discourage their friends, this being a time they must make use of all their friends*; and Master Pym saying, *God forbid that the House of Commons should proceed in any way to dishearten people to obtain their just desires in such a way*: which he had good reason to say, himself and those other persons whom We afterwards accused of High Treason having, by great sollicitation and encouragement, caused those multitudes to come down in that manner. The Lords having in vain tried this way, appoint (upon the advice of the Judges) that a Writ be directed to the Sheriffe and Justices, upon divers Statutes, (which issued accordingly) to suppress and hinder all tumultuous resort: in obedience to which the Justices and other Ministers appoint the Constables to attend about *Westminster*, to hinder that unlawful Conflux of People. This was no sooner done, but the Constables and Justices of the Peace were sent for by the House of Commons, the setting such a Watch Voted to be a breach of Privilege, and
before

before any Conference with the Lords, by whose direction that legal Writ issued out, the Watch discharged, and one of the Justices for doing his Duty according to that Writ sent to the Tower. About the same time there was a Tumultuous Assembly of *Brownists*, *Anabaptists* and other Sectaries called together by the Sound of a Bell into a place in *Southwark*, where the Armes and Magazine for that Burrough were kept. The Constable knowing such Meetings to be unlawful, and the Consequences of them, especially in such places, to be very dangerous, came amongst them. He was no sooner come, but he was reproached with words, beaten and dragged in a very barbarous manner, insomuch as he hardly escaped from them with his life. Complaint was made by him to the next Justices, and Oath made of the truth of that complaint: whereupon a Writ was sent to the Sheriffe to impanel a Jury according to the Law, for the examination and finding of this Riot. This was complained of too, and the meeting (in how tumultuous and disorderly a manner soever) pretended to be only for the drawing of a Petition against Bishops, and that the Constable was a friend to Bishops, and came to cross them, and to hinder men from subscribing that Petition. Hereupon an Order was made in the House of Commons, and the under-Sheriff of *Surrey* by it enjoined, that he should not suffer any proceedings to be made upon any inquisition that might concern any persons who met together to subscribe a Petition to be preferred to that House. What Authority the House of Commons had or have to send any such Injunctions, We cannot conceive; yet by this any disorderly persons (let their Intentions and demeanour be never so Seditious) are above the reach of the Law and Justice, if they please to say they meet to prepare any Petition to the House of Commons. And 'tis no wonder if, after all this care taken to remove all those Obstacles the Law had put in the way to such Tumults, all people took upon them to visit Our Parliament in such manner as they thought fit, and thereupon great multitudes of mutinous people every day resorted to *Westminster*, threatened to pull down the Lodgings where divers of the Bishops lay, assaulted some in their Coaches, chased others with boats by water, laid violent hands on the Archbishop of *York* in his passing to the House, and had he not been rescued by force, it is probable they had murdered

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him;

him ; crying through the Streets , *Westminster-Hall*, and between the two Houses, *No Bishops, No Bishops, No Popish Lords* ; and misused the several Members of either House, who they were informed favoured not their desperate and Seditious ends ; proclaiming the names of several of the Peers as *Evil and Rotten-hearted Lords* ; attempting the defacing the Abbey at *Westminster* with great Violence, and in their return from thence made a Stand before Our Gate at *White-Hall*, said, *They would have no more Porters-Lodge, but would speak with the King when they pleased* ; and used such desperate Rebelious discourse, that We had great reason to believe Our own Person, Our Royal Consort and Our Children to be in evident Danger of Violence, and therefore were compelled at Our great charge to entertain a Guard for securing Us from that Danger. And yet all this Danger is so slighted, that We are told in the last Declaration, after We have so often urged it, *That it is a Suggestion as false as the Father of Lies can invent.*

These Licentious and unpunished Tumults gave occasion to the Bishops (who could not repair to the House without Danger of their Lives) to make that their Protestation, for the which they were forthwith accused of High Treason by the House of Commons , and committed to the Tower by the House of Peers, where they continued for the space of four Moneths at the least.

That small Guard We had taken for our necessary Safety, and the resort of some Officers (who attended both Our Houses of Parliament, for Money due to them by Act of Parliament and upon the publick Faith) to Our Court for Our Defence against those Tumults, was objected against Us, and divers counterfeit Letters were written, and senseless Fears infused into the Citizens of *London*, that We had a designe of actual Violence upon that City, and thereupon they were drawn into Armes, and put upon their Guard against Us. So that there was not only no provision made for the suppressing of Tumults, but that provision the Law had made against them discountenanced and taken away, and We Our Self censured for taking so much strength about Us as might, for some time, oppose such Force as was like to be offered to Our own Gates. What should We doe ? We very well knew the Contrivers of all these Mischiefs, who had by their
exceeding

exceeding Industry and Malice wrought this Distraction throughout the Kingdom, such a defection of Allegiance in the Common people, such a damp of Trade in the City, and so horrid a Confusion in the Church, and all this to satisfie their own private Ends and Ambition: for themselves know what overtures have been made by them, and with what importunity, for Offices and Preferments, what great Services should have been done for Us, and what other undertakings were (even to have saved the Life of the Earl of *Strafford*) if We would confer such Offices upon them. We were sure We could make such particular proofs against them of a solemn Combination entred into by them for altering the Government of the Church and State, of their designing Offices to themselves and other men, of their soliciting and drawing down the Tumults to *Westminster*, and of their bidding the People in the height of their rage and fury to goe to *White-Hall*, of their scornful and odious mention of Our Person, and their designe of getting Our Son, the Prince, into their hands, of their treating with Forein Power to assise them if they should fail in their enterprises: Yet we saw too that their Interest and reputation was so great with many of both Houses of Parliament, their Power so absolute with a multitude of *Brownists*, *Anabaptists*, and other Sectaries about *London*, who were ready to appear in a body at their command, that it would be a hard matter to proceed against them. In this streight We resolved to do Our part in both, to give Our People a clear satisfaction of Our upright Intentions to the publick, whereby they should finde their Happiness did not at all depend on such Instruments; and to proceed against the Persons of the other in a legal way, that all the world might see what Ambition, Malice and Sedition had been hid under the Vizour of Conscience and Religion. Hereupon We prepared an Answer to the Remonstrance the House of Commons had before published to the People of the State of the Kingdom; wherein, without taking notice of the uncomely Language in, and the Circumstances of that Remonstrance, We declared with as gracious and full Expressions as We could make, Our earnest Resolutions for the maintenance of the true Protestant Religion, the Liberty and Property of the Subject, and the Law of the Land; and made no less gracious offers to consent to any Act that

should be offered for the ease of tender Consciences in matters indifferent, and very earnestly desired that the same might be provided, and whatever else should be thought necessary for the Peace and Security of Our People: And then, that We might likewise manifest the Actions of that Malignant Party which had done so much mischief, and intended so much more, We resolved to accuse the Lord *Kimbolton*, Master *Hollis*, Master *Pym*, Master *Hampden*, and Master *Stroud*, (who had so maliciously contrived the Ruine of Our Self and the established Government of this Church and Kingdom) and Sir *Arthur Hesilrigge*, who had been made their Instrument to obey and execute their bold and wild designs of High Treason, as We had great reason to doe, hoping that their Duty due to Us, and the Obligations We had put upon Our People this Parliament, would never suffer the Interest and reputation of these men to be laid in the scale, & to over-weigh Our Regal Authority and the Law of the Land, but that We should have found a way open to a fair and Legal Trial of them, which was all We desired. How Our proceeding was in that business and Our managery of it, We have truly and at large set forth in Our Answer to the Declaration of both Houses of the nineteenth of *May*, That what We did first in acquainting the House of Commons with Our Accusation by Our Serjeant at Arms, was in Correspondence and out of regard to that House, that We might rather have them delivered to the hands of Justice by them, then apprehend them by an ordinary Minister of Justice; which We were and are assured, whatever Doctrine is preached to the contrary, We might well have done in the case of Treason: otherwise that Maxime in the Law, acknowledged in a Petition of both Houses to Us in the beginning of Our Reign, in the Case of the Earl of *Arundel*, That in case of Treason, Felony and breach of Peace, Privilege of Parliament doth not extend, is of no significance. The words are, *They finde it an undoubted Right and constant Privilege of Parliament, That no Member of Parliament (sitting the Parliament, or within the usual times of Privilege of Parliament) is to be imprisoned or restrained without Sentence or Order of the House, unless it be for Treason, Felony, or for refusing to give Sureties for the Peace.* In those Cases 'twas then thought a Member of either House was not to be distinguished from another Subject: and why We might not

as well have expected that upon Our Articles (not so general as a mere verbal Accusation) of High Treason, either House would have committed their several Members, as they had done so many this Parliament, and about that time Twelve together (upon a confessed ground, which every man there, who knew what Treason was, knew that fact to be none) merely because they were accused, and as the House of Peers had formerly done a Member of that House, (the Earl of *Bristol*) accused in the same manner, most of the good Lords being then Judges, We neither could then, nor can yet understand. That Our own coming to the House was to prevent that shedding of blood, which in all possibility was likely to follow that Order made the night before, for resisting all such Officers who endeavoured (upon how legal Warrant soever) to arrest any Members of either House (an Order much more unjustifiable by any Rule of Law and Justice, by which Orders or Acts are to be examined, then any thing We have done, or any body by Our Authority.) That Our purpose was no other but to acquaint that House with the matter of Our Accusation, to desire their Persons might be secured, and without any thought of the least violation of their Privileges. This is that which We did: Examine now their part, and their progress since, and then judge whose Privileges have been invaded, and with how good a mind to the Commonwealth they have proceeded. We were no sooner gone but the House adjourned it self, with some unusual expressions of offence, and We were speedily informed that some Reports and Scandals were raised against Us in Our City of *London*; That We had offered Violence to Our House of Commons, come thither with force to murder several Members, and used threatening Speeches there against Our Parliament; and that this was but a Preface to an attempt We meant to make against and upon the City. Whereupon We resolved the next day to goe to the *Guild-hall*; and to shew the great Confidence We had in the affections of Our said City (which We expected should have begot a proportionable Confidence from them in Us) We went attended with very few of Our own Servants, and then in the presence of the Lord Maior, the Aldermen, and a very great assembly of the chief Citizens and others, We

made them a full Narration of what We had done the day before, and assured them, that We intended no proceedings but such as were most agreeable to the Law of the Land and the Privilege of Parliament. This demeanour of Ours We thought would have given satisfaction to all Our loving Subjects, that if in truth We had erred in the form of Our Proceedings, yet Our intentions were full of Justice and regard to the general Law of the Land, from which We shall never willingly swerve. But in stead of any application to inform Our Judgement wherein We had erred, and how We were to proceed, both Our Houses of Parliament, under the title of Committees, adjourned themselves to the *Guild-Hall*, and afterwards to *Grocers-Hall*; the Persons accused remove themselves into the City, as to a Sanctuary, and there manage and contrive business to their own ends; they cause Discourses to be published and Infusions to be made of incredible danger to the City and Kingdom by that Our coming to the House; and Alarm was given to the City in the dead time of the night, That We were coming with Horse and Foot thither, and thereupon the whole City put in Arms. And however the envy seemed to be cast upon the Designs of the Papists, mention was onely made of actions of Our own. Their seditious Preachers and Agents are by them and their special and particular directions sent into the several Counties to infuse those Fears and Jealousies into the mindes of Our good Subjects, with Petitions ready drawn by them for the People to signe; which were yet many times by them changed, three or four times, before the delivery, upon accidents and occurrences of either or both Houses. And when many of Our poor deceived People of Our several Counties have come to Our City of *London* with a Petition so framed, altered and signed as aforesaid, that Petition hath been suppressed, and a new one ready drawn hath been put into their hands after their coming to Town, (inasmuch as few of the company have known what they petitioned for) and hath been by them presented to one or both Houses of Parliament, as that of *Bedfordshire* and *Buckinghamshire*; witness those Petitions, and, amongst the rest, that from *Hartfordshire*, which took notice of matters agreed on or dissented from the night before the delivery, which was hardly time enough to get so many thousand hands,

hands, and to travell to *London* in that errand. The accused Members, to shew how much they were above Us and the reach of the Law, march with a Guard of armed men to the place where the Committee sate, sit with them, and govern those Counsels. First, they procure a Declaration to be set forth and printed from the Committee (without being reported to the House, contrary to all Custom and Privilege of Parliament, and against the Law it self) with very strange expressions of Our carriage; and, upon the matter, requiring all people to assise them. This they cause to be sent into the City to the Common-Council, which by the undue practices of Captain *Venne*, and Master *Foulk*, since made Alderman for his good service, (their principal Agents) they had caused to be altered, by putting out the gravest and most substantial Citizens, and taking in persons of desperate Fortunes and Opinions, who they knew would concur with them in their more desperate Actions; (the same Designe, and the same way pursued to make the City of *London* at their disposal, as had been practised in the House of Commons to work upon the whole Kingdom:) and with this Common-Council Correspondence is kept for the setting of unusual Watches, placing of Guards in several places of the City, as if some desperate attempt and assault were to be made upon the whole City by Us, who were known scarce to have a Guard strong enough to preserve Our own House from Violence. A Commander is appointed under the Title of Serjeant-Major-general; and, as if all men were now by their new Protestation made Judges of the Privileges of Parliament and the Breaches thereof, and absolved from all Rules of Obedience, special provision is made, and publick direction is given, for drawing down the Trained-bands of Our City of *London* to *Westminster* on a day appointed, to guard and bring in triumph the persons accused of High-Treason, as such worthy Patriots that the Commonwealth it self could not subsist but with reference to them; who in their discourses and by their Messages to their Confederates expressed the greatest Scorn of, and the most treasonable Reproaches against Us that can be imagined. When We understood this horrid preparation made against Us, the Power it was evident these persons had to doe hurt, and the Malice We knew they bore against Our Person (which We had too great rea-

son to fear they intended to seize) We resolved to yield, for the present, to this Storm: and so the day before their coming to *Westminster* We withdrew Our Person, with Our Royal Confort and Our Children, to Our House at *Hampton-Court*; and the rather, lest the Courage and Indignation of some of Our good Subjects might (how weakly soever, yet with the effusion of blood) oppose that great scorn intended Us; and believing that possibly by Our removing with all such persons whose presence was excepted against, and discharging that small Guard which the Tumults had forced Us to take for Our Safety, and which was urged as an Argument of Danger, and Ground of the general Fears, might at least lessen their appearance the next day. But these Powerful Persons would by no means conceal their triumph over Us, but the next day are guarded from their residence in the City with multitudes of armed men and Ammunition in a hostile and warlike manner to *Westminster*. The same Care and Industry was used to provoke and incense Our Mariners, Masters of Ships, and other Sea-men, who were solicited by the Agents for the accused Persons, and by their special direction, to express their Affection likewise to the Cause in hand; and thereupon near one hundred Lighters and Long-Boats were set out by water, laden with Sakers, Murthering-Pieces, and other Ammunition, dressed up with Wast clothes and Streamers, as ready for fight. And in this Array, these men by water and the Souldiers by land cried out as they passed by, *That they would thus Protect and Defend those worthy Gentlemen whom We had accused of High Treason*; and as they passed by Our Windows at *White-Hall*, scornfully asked *what was become of Us, whither We were gone*. In this Equipage they came to both Houses, where it is no wonder they have been since able to govern, having given such testimony of their Power both by land and water. Let all the world judge by what Law this Army was raised, and whether any Act of Ours against these persons was as unwarrantable as these proceedings.

We bore all this, being so much amazed at these Distractions, that We could not easily find what colour the Malice of these men had found out thus to out-face Us, not yet conceiving We had broke any Privilege, or that the casual breaking of Privilege could have produced

produced such prodigious Distempers. But We were no sooner advertised where Our mistaking was, but, without recrimination or complaining of the Injuries against Our Self, We sent to both Houses on the twelfth and fourteenth of *January* by Message, That in Our proceeding against those Persons We had not the least Intention of violating their Privileges, which We would be willing to assert by any reasonable way We should be advised; That We would wave Our former proceedings against them, and when the minds of men should be composed, would proceed in an unquestionable way; in the mean time desired all jealousies might be laid aside, and application be made to the publick and pressing Affairs, especially to those of *Ireland*, which cried for the utmost of Our Assistance. But it concerned those Persons by no means to suffer such a Composition; if these Fears and Jealousies were not kept up and inflamed in the People, and the Distractions heightened, they knew they should not only be disappointed of the Places, Offices, Honours and Employments they had promised themselves, but be exposed to the Justice of the Law, and just Hatred of all good men. Therefore the business of both Kingdoms was not considerable to the Interests of the Six Members, who would be thought the Pillars both of Church and State. They had now found a danger nearer hand then *Ireland*, and an Army raised by Us in one night at *Kingston upon Thames*; and upon some extravagant Information pretended to be given to a Committee, (though some of their pretended Witnesses publicly in the House disavowed any such Testimony) they procured an Order to be framed; and though before the publishing of it they had full and clear evidence to the contrary by Persons come immediately from the place, and testifying it to be most quiet and peaceable, they yet had power to procure that Order to be published on the thirteenth of *January*, (the next day after they had received so gracious a Message from Us) declaring, That the Lord *Digby* and Colonel *Lunsford* (the former of which was in the Town only with a Coach and six Horses, the other onely attended by his Servant, and hath been since earnestly pressed by the Serjeant of the House of Commons (in whose custody he was) to accuse the Lord *Digby*, with promises that thereby himself should be discharged) had gathered
Troops

Troops of Horse, and appeared in a warlike manner at *Kingston* upon *Thames* (being within a Mile of Our Court) to the terror and affrightment of Our good Subjects, and to the disturbance of the publick weal of the Kingdom; and therefore it was ordered, That the Sheriff and Justices of the Peace should, with the assistance of the Train-Bands, suppress such Assemblies, &c. And this way they found out to draw that County to affront Us, and sent multitudes of mean people, under pretence of petitioning Us, to shew Us how unsecure Our Residence was like to be there too, and so in a short time compelled Us, Our Royal Consort and Our Children, to remove to Our Castle at *Windfore*.

They proceed then by a Close Committee (a thing scarce heard of till this Parliament, and of dangerous consequence to the fame and reputation of all men) to examine such mean, unknown persons as they had by Threats and Promises solicited to that purpose, concerning the circumstances of Our coming to the House, exhibiting bold and malicious Interrogatories and Questions concerning Our Self; and upon such wild Informations of desperate persons, contrary to the known truth, and concealing other Examinations which they had taken, and by which the contrary to what they would have the People believe would have appeared, particularly that very full Examination of Captain *Ashley*, wherein Our publick and peremptory Commands against all manner of Violence (though provoked) are sufficiently manifested, they procured an infamous Declaration to be published by the House of Commons (for the House of Peers could not be yet prevailed with to joyn in those Extravagancies) on the seventeenth of *January*, mentioning Our coming to the House, and some rude expressions of some persons, (who, if there were any such persons there, We are most confident they were not of Our Train) and would infer from some mens calling for the Word at Our coming out of the House (which is a form used in Our Court, that those of Our Train who are before may know when and whether they are to goe) that We had a purpose to have fallen upon the House of Commons, and to have cut all their Throats; and do therefore declare, That *Our coming to the House was a traitorous Designe against the King and Parliament; That Our Proclamation issued out of the*

Appre-

Apprehension of them was false, scandalous and illegal ; That it was lawful for all men to harbour them, and that whosoever did so, should be under the Protection and Privilege of Parliament : with many other expressions of and aspersions upon Us, which they hoped would render Us odious to Our good Subjects, and force Us for Our safety to submit to such unreasonable Propositions which amongst themselves they had provided to be offered to Us, or provoke Us to such Actions as might give them some advantage. To keep the People in a continual Alarm and apprehension of Danger, few daies passed without some pretended Discovery by Sir *Walter Earle* or other quick-sighted men, of some Treason or Plot against the Parliament, the City, or the Kingdom ; and upon every light and impossible Information many of Our Subjects sent for out of several Counties, who, after chargeable attendance, were dismissed without any reparation or reprehension. One day the Tower of *London* is in danger to be taken, and Information given, That great Multitudes, at least a hundred, had that day resorted to visit a Priest, then a Prisoner there by Order of the Lords, and that at the time of the Information above fifty or threescore were then there, and a Warder dispatched of purpose to give that notice : upon enquiry, but four Persons were then found to be there, and but eight all that day, who had visited that Priest. Another day a Tailour in a Ditch, in the open fields, over-hears two Passengers to plot the death of M^r *Pym*, and of many other Members of both Houses : then Libellous Letters found in the Streets, without names (probably contrived by themselves, and by their Power published, printed, and entred in their Journals ;) and Intimations given of the Papists training under ground, and of notable provision of Ammunition in Houses, where, upon examination, a single Sword and a Bow and Arrows are found : a design of the Inhabitants of *Convent-Garden* to murder the City of *London* : news from *France*, *Italy*, *Spain* and *Denmark*, of Arms ready to come for *England* ; with infinite such ridiculous Discourses, which are not only suffered and directed to be Printed, but such countenance and credit given to them, that there-upon Guards must be doubled, Correspondencies and Letters interrupted and broken open, even of and to Forein Ministers of State and Embassadors, to the Scandal of the Nation, and against the Laws of Society and Civil Conversation : a Committee appointed for Information

mation, where Liberty hath been taken, without any Accusation or Complaint extant, to examine the discourses passed at Meals and Entertainments, what words such a man spoke; and such other monstrous things as in a short time will render life it self unpleasant, and make every Room and every Table a bait to betray men, and to bring them to ruine and destruction. Insomuch as persons have been sent and imployed by Members of that Committee on purpose to the Tables of Persons of Honour and Quality, to enquire, observe and inform what Language and Freedom was there used; whilst these Worthy accused Members took the Liberty to themselves in all their private Meetings, and by their Letters, to Deprave and Slander Our Person, to contrive the Alteration of the Government of the Church and State, to treat with Foreign Power to assist them as soon as their Designs should be ripe, to labour by Promises and Threats to bring the several Members of either House to their opinion, and to raise Scandals upon, and to plot Danger and Ruine for those who were of another opinion.

And having now by these Arts disquieted and distracted the People abroad, and made them fit to receive any impressions from them, they proceed to work upon the Members of both Houses with infinite Industry and Applications, that they might be able to get the reputation of Consent from them, to encourage and set the People a work, if We refused to Consent with them. They had removed as many Members from them of a contrary opinion as they could, and had used all means to get men who would be disposed by them into their rooms. If they found any such Lord, who had not a name in their List of the good Lords, were like to have any influence upon a Place where an Election was to be, presently an Order was conceived and published, That no Letters from any Noble-man ought to be written in such Cases, and if written, to be neglected; but would by no means consent that this Order should conclude those of the House of Commons, lest Master Pym or any of those blessed Members might not write in the behalf of the Commonwealth for a worthy Gentleman. If any Elections were questioned, whereby they were like to loose a man at their disposal, such businesses and questions were of too private a nature to interrupt their proceedings: so neither the Election of *New-Castle, Warwick, Windsor*, and very many other places,
for

for whom Persons serve without and against the Consent of the Burroughs for whom they have got themselves returned or admitted, can be heard or considered. If the Election of any such Persons hath been heard at the Committee, and they Voted out of the House as unduly chosen or returned, they will by no means suffer such a report to be made, lest a good Member should be lost; as in the Case of Master *Nichols* (Master *Pym's* Nephew) and others. Are they concerned in the contrary, and is any man returned and admitted whom they would be rid of, and against whom the least pretence is made? straight a day is appointed, no businesse so great, as fit to be a Cause to keep a worthy Member from the Service of his Countrey: This is the Case of *Andover*, and other places. They rid themselves of those (how justly soever elected) whose Opinions are not futeable, nor their Dispositions weake and guilty enough to be wrought upon. Their next Conquest must be of those whom they could under any general Vote conclude to be obnoxious to the Justice (and so to be within the Mercy) of the Parliament. To this purpose their terrible Votes (which they keep as Rods over them, having never proceeded against any) against all those Lords who had concurred in such an Order at the Councel-Table, or such a Censure in the Star-Chamber; against all Lords Lieutenants and their Deputies, who had raised Coat and Conduct-money; against all Sheriffs who had levied Ship-mony; against all Lords and others who had been concerned in, or received profit by any Monopoly or illegal Patent; in a word, against all such who had medled in any thing which their Interpretation would call grievous to the Subject, brought all Persons of either House, who had guilt enough to doubt themselves, or want of Spirit enough to fear them, either to be absent, or silent, or to comply with them. And if any man had the Courage to consider the single business justly and by it self, they were straight making an Inquisition into his whole life, and preparing something against him for matters of which their Favourites were equally guilty; and declared publickly, *That what disservice soever any M^r. Pym. man had done formerly, if his present Actions were such as brought benefit to the Commonwealth, he ought not to be questioned for what was past, but cherished and protected.*

They had several Baits to catch and betray other men. Those

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who

who had been from the beginning deceived by them, and complied with them in their passion, and been subtilly involved in some of their private counsels, they perswaded, That they were so far in, there was no retiring ; that We would never forget the dis-service they had done Us ; and therefore that there was no way to safety for themselves but by weakning Us, and putting themselves into such a condition as it should not be in Our Power to suppress them. To those who had publick thoughts about them, and desired the establishment of right equally between Us and Our Subjects, and thought that right and favour they had obtained from Us this Parliament could never be enjoyed by them with that lustre and security, if the Power from which they received it were oppressed or rendred of less veneration, they seemed abundantly satisfied with those Acts We had passed, that they had no further aim then to enjoy those ; but that they had upon Our unwilling passing those Acts (which all the world knows to be an Untruth most maliciously framed) great reason to feare, We meant not to observe them : when in truth We had, by the Bill for the Triennial Parliament, put Our Self and Our Posterity (which We were willing to doe) out of any possibility of destroying or not observing those good Laws. To those who were desirous to give that satisfaction to weak Consciences, that they might be eased of unnecessary Ceremonies, yet were scandalized at the prophane and odious Licence which the Rabble of *Brownists*, *Anabaptists* and other Sectaries took to themselves of despising and reviling the Book of Common-Prayer, of suffering Mechanick, Ignorant fellows to undertake publickly, even in Churches, to preach and expound the Scripture, they seemed no less to be disquieted at that Disorder, but alleage that all Reconciliation and Union was to be embraced and pursued against the Common Enemy the Papist (from whom the Danger was principally to be feared ;) and when a perfect Victory was obtained against them, they should easily bring the other poor harmless Creatures to Conformity. Those who out of Laziness and Vulgar-spiritedness were apt to comply with that part which was at last likely to prevail, they informed and assured confidently, That they had those about Us, who would at last perswade Us to yield to all they demanded ; and that all Places and Preferments should attend their directions , and be disposed by them, and that all
such

such who opposed them should be inevitably destroyed. Those whom neither their Skill nor Importunity, their Threats nor their Promises could prevail with to comply in their bad wayes, they proscribed as a Malignant Party, and having cast all the aspersions upon them Folly and Madnes could devise, exposed them to be torn in pieces by the People.

And having thus disposed themselves and perplexed the People, they proceed to laying that Foundation of Greatness and Power to themselves they had from the beginning contrived: and as if all the Pillars upon which the Peace and Happiness and Being of this Kingdom was founded, were now shaken by the attempt against those six Innocent persons, and that all Our Power were therefore to be transferred into other hands, they cause the matter of the Bill formerly exhibited in *October* before to be again reviewed; and now all the Forts and Castles of the Kingdom, and the whole *Militia*, must be put into such hands as they might confide in. A Garrison must be put into Our Town of *Hull*, and Sir *John Hotham* appointed Governour of it, to whom the Maier of *York* is ordered to dispose 2000 pound out of the Poll-money, which was to pay the Arrears due to that County for Billet, and the great Debt to Our Subjects of *Scotland*. And when the Maier and principal Aldermen of *Hull* refuse to receive that Garrison, and urge the Petition of Right, that they may not be forced to billet those Souldiers, they are sent for to the House of Commons, and there kept in a tedious and chargeable Attendance, till the Garrison be taken in, being sent for to no other purpose. Our Own Magazine must be managed and disposed by their discretion. The Tower of *London* must be put into their hands, and a Person against whom Malice it self could not find the least accusation must be removed, for no other reason but because We had a good opinion of him.

They who are the strictest in their Censure of Us and of Our Easiness will finde, upon this State of things, that We had enough to doe, and that there was much difficulty to resolve. We will never deny that Our extreme tenderness of the Peace of the Kingdom, and Our great Grief of heart to see Our good Subjects misled in their Duty and Affection, begot more of Our Compassion and Pity then of Our Anger and Indignation, so that We were more awake to the

sense of the Calamity and Misery which in all probability was like to befall them, then of Our own Honour and Dignity; and therefore, without expressing the least resentment of all the Scorns and Injuries put upon Us, and to shew how much Our Soul was possessed with the care of Our People, We sent a Message to both Our Houses of Parliament from *Windsore* on the twentieth of *January*, desiring them, for the composing the miserable Distractions of the Kingdom, to enter speedily into a serious consideration of all particulars, as well those which might concern their Privileges, their Liberty and their Property, the securing the true Religion and the settling of Ceremonies, as those of Our just Regal Authority and Revenue, that so both We and they might make a clear Judgment of them, and We might make it appear how far We were from giving grounds for those Fears and Jealousies, by exceeding the examples of the most indulgent Princes in Our Acts of Grace and Favour to Our People. No body will blame Us, if We expected at least such an Answer as might bring Us and Our Houses of Parliament to an issue, that We might temperately debate what was to be done: But they who well knew the nature of their own demands, and what they meant to insist upon, would by no means that things should be brought into so little room, or discover the particulars of their Desires, till they saw what Strength they were like to have to second those Desires; therefore a new Adjournment is made to *Grocers-Hall* to consult of Evils and Remedies; several Petitions, framed and contrived by these persons themselves, are sent into the several Counties, and multitudes of people resort every day to both Houses with Petitions, avowing the Fears and Jealousies these men had infused into them, and desiring to have the Kingdom put into a posture of Defence, and declaring their stout Resolutions to maintain the Privilege of Parliament.

In this Triumph they vouchsafe to petition Us to proceed against the Members accused, or else that they might be publickly quit. We were resolved to give them no more advantage upon breach of Privilege, and therefore desired to be informed which way We were to proceed, and whether We might prefer Indictments against them at the Common-Law. We were answered that no proceeding should be against them without Consent of that House of which
they

they were Members, and therefore We were desired within three days to inform both Houses what proof We had against them, or else they should be cleared : and they had before caused their false, scandalous Declaration of the fourteenth of *January*, of Our coming to the House, to be new printed, together with the Protestation, and to be sent over the whole Kingdom by the Knights and Burgeses, as if by the one they were obliged to defend the other. In this case no man will believe We had reason to bring in Our Proofs against these men, and to publish Our Evidence, when We were told it was in the power of the major part to chuse whether they should be tried or no : And We might easily see, and all the world will judge by the proceedings then, and their publick expressions since, whether, if We had proved a Conspiracy amongst them to have taken away Our Life, they would not have found some distinction between Our Person and Our Office, which should have preserved these Persons from the hand and course of Justice ; and to what other end that Doctrine should be published with so much passion, *That in case of Treason We might not proceed against any Member but by Consent of the House*, (so contrary to Custom, Law and Reason) but to let all men know it should not be in Our Power to question them for any thing they should doe against Us, let the Law be never so clear in the point. Upon all these Considerations, rather then to waste time in the dispute, when they were resolved to be their own Judges too, We sent them word by Our Answer to their Petition of the second of *February*, That We found We had good cause to desert any Prosecution of those Members, and further offered to grant such a free and a general Pardon to all Our loving Subjects as should be thought fit by the advice of both Houses, which We thought to be the best way to compose all Fears and Jealousies of what kinde soever.

But the Business of these men could not be done that way ; a general Pardon would never have settled the *Militia*, and dispossessed Us of those Rights and that Power without which they could not compass their Designs : They now resort to their old refuge, the Common People of the City and Suburbs, and whatever they desired, these men must ask, for the satisfaction of the Fears and Jealousies of the City. The City had been desired to lend a hun-

dred thousand pounds for the relief of *Ireland*; and their Answer is drawn up to their hands, of their inability to lend, and such Reasons given as might advance what had been upon general Discourses neglected. The ten thousand men profered by the *Scots* for *Ireland* were not accepted. A Bill having been offered Us for Pressing, and in it a Clause (not necessary to the present, and therefore purposely, as We conceive, put in, in hope We would upon that refuse it) declaring Us to have no power to press, (a Power constantly practised by Our Ancestors, and even in the blessed times of *Queen Elizabeth*;) Our pause upon it was urged as a Designe to lose that Kingdom, although We had offered to raise ten thousand Volunteers for that purpose, if they would pay them. The not securing the Cinque-ports, (though the Custody of them was in a Noble Person, against whom the least exception could not be made) and the not settling the Kingdom in a Posture of Defence; the not removing Sir *John Byron* from being Lieutenant of the Tower, whereby through distrust they were forced to forbear the bringing in of Bullion to the Mint, (when 'tis notoriously known, there was more Bullion brought in to Our Mint in the time that Gentleman was Lieutenant, then in the same quantity of time in any mans Remembrance;) the Votes of the Bishops and the Popish Lords in the House of Peers, and all other things which were then in Designe, and had in vain been attempted by them by the refusal of the House of Peers several times to joyn with them, were now urged as principal reasons, by this Petition of *London*, why they could not lend a hundred thousand pounds to *Ireland*, and were pressed by several other Petitions contrived by them, and presented to both Houses, or to the House of Commons. And these Petitions are carried up to the Lords by Master *Pym*, who takes upon him to reproach them for not concurring with the House of Commons, and impudently layes that Scandal upon Us, That We had suffered many to pass by Our own immediate Warrant, who were since Commanders in the head of the Rebels. A false and abominable Scandal, raised by his own Malice, to draw Our good Subjects against Us, without the least colour or shadow of truth, as appears by those Answers they have published to Our Exception in that point, wherein there is not the least Evidence of any such

Warrant

Warrant granted by Us: though Master *Pym* be so great a Person, that We can have no Reparation against him for that Calumny; but had credit enough with the House of Commons, to perswade them to charge themselves unjustly, to excuse him, and to take upon them, that he had said nothing in that Speech but by their directions.

All this had not that quick operation with the Lords, with whom (though they had committed Twelve Bishops for Treason, a thing themselves blush at, and the Popish Lords had absented themselves) they could not prevail to joyn in matters so unreasonable in themselves and dishonorable to Us: therefore the House of Commons by themselves Petition Us, thank Us for Our Message of the twentieth of *January*, though they have since declared it to be a breach of Privilege, resolving to take it into serious and speedy Consideration; only desire for their Security, That We will put the Tower of *London*, and all the Forts of the Kingdom, and the whole *Militia* into such hands as should be recommended unto Us by them, (for the House of Peers had refused to joyn with them, and so were upon the matter petitioned against, and left out in the power of recommendation.) Sure this was the strangest Petition that, till that time, had ever been presented by the House of Commons to their King: yet We returned a gracious Answer, That if any particular should be presented to Us, whereby it might appear that the Lieutenant of the Tower was unfit for the trust We had committed to him, We would immediately remove him; otherwise We were obliged in Honour and Justice, not to put such a Disgrace upon him. For the Forts and Castles, that We were resolved they should be alwayes in such hands, and only in such, as Our Parliament should have cause to confide in; that We would have the nomination of them Our Self, but that they should be alwayes left (if any thing were objected against them) to the Wisdom and Justice of the Parliament. For the *Militia*, that when some particular course should be proposed to Us for the ordering of it, We should return an Answer agreeable to Honour and Justice, as appears more at large in Our Answer of the 28. of *February* to that Petition.

This gave them no better satisfaction then the former; but

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finding

finding that without the Consent of the House of Peers (of whom much the major part, though the Popish Lords and the Bishops were absent, dissented from them) and against Our Consent, they were not like to prevail over Our People, they resolve of another Attempt upon them; their old friends, the Multitude, must be again brought down by the great Conductor Captain *Venne* (who is notoriously known, and proof thereof offered to be produced by Master *Kirton* to the House of Commons, to have several times sent to, and solicited People to come down out of the City with Swords and Pistols, when he hath told them, or sent them word by his Wife, that *the worse Party was like to have the better of the good Party*; and for all which publick offer, neither was Master *Venne* then suffered to answer to this Charge, nor Master *Kirton* allowed any time (though many dayes were set) to bring in the particulars and witnesses.) Many Persons are importuned to set their hands against the Lieutenant of the Tower, That they durst not bring in any Bullion to the Mint, for want of Confidence, when they never brought in any in their lives: and being asked how they could set their hands to such a Certificate, when it was known that never greater quantity was brought in then at that time; answered, *That they were directed by Parliament-men to doe so, or else they could not compass their Ends.* And having gotten Multitudes of People of several Counties, (or such as pretended to be so) to deliver Petitions to both Houses, and to desire leave that they might protest against those Lords who would not agree to the Votes of the House of Commons, as the Petitions of *Surrey* and *Hartfordshire* doe, and perswaded others, in the name of many thousands of poor People in and about the City of *London*, to Petition against a Malignant Faction which made abortive all those good Intentions which tended to the Peace and Tranquillity of the Kingdom, and to desire, *That those Noble Worthies of the House of Peers who concurred with them in their happy Votes, might be earnestly desired to joyn with the House of Commons, and to sit and Vote as one entire body*; professing, that unless some speedy remedy were taken for the removal of all such Obstructions as hindered the happy Progress of their great Endeavours, the Petitioners should not rest in quietness, but should be enforced to lay hold on the next remedy which was at hand, to remove the Disturbers of their Peace, and (want and necessity
breaking

breaking the bounds of modesty) not to leave any means unassayed for their relief; adding, that the cry of the poor and needy was, *That such Persons, who were the Obstacles of their Peace, and Hinderers of the happy proceedings of this Parliament, might be forthwith publickly declared, whose removal they conceived would put a period to those Distractions, after it had been said in the House of Peers, That whoever would not consent to the Proposition made by the House of Commons concerning the Forts, Castles and the Militia, (when it was rejected by a major part twice) was an Enemy to the Commonwealth.* This Petition was brought up to the House of Lords by the House of Commons at a Conference; and after the same day Master *Hollis* (a Person formerly accused by Us of High Treason, and a most malicious Promoter and Contriver of those Petitions and Tumults) pressed the Lords, at the Barre, to joyn with the House of Commons in their desire about the *Militia*, and further (with many other expressions of like nature) desired in words to this effect, *That (if that desire of the House of Commons were not assented to) those Lords who were willing to concur, would finde some means to make themselves known, that it might be known who were against them, and they might make it known to them who sent them.* Upon which Petition so strangely framed, countenanced and seconded, so great a number of the Lords departed, that that Vote passed (which they had so often before denied) in order to the Ordinance concerning the *Militia*; and since that time they have been able to carry any thing: and, upon the matter, the Resolution of the House of Commons hath been wholly guided by those Persons who had given so plain evidence that they had the Multitude at their Command, and hath wholly guided that of the House of Peers, who with little debate or dispute have, for the most part, submitted to whatsoever hath been brought to them.

Shortly after they passed their Ordinance, with such a Preamble as highly concerned Us in Honour and Justice to protest against, and wholly excluding Us (in whom that whole Power absolutely was and is) from any Power or Authority in the *Militia*, the Arms and Strength of the Kingdom, and that for as long as they pleased. And as if the matter were not worth the considering, or that there ought to be no other measure to guide Us in point of Judgement or Understanding but their Votes, it was ill taken that We did not immediately return Our Answer, but took
some

some time to consider it; and We were again with great passion and impatience pressed to give Our Answer, they being pleased to tell Us, *They could not but interpret the Delay to be in a degree a Denial*: and in the mean time, to give Us an instance how modestly they were like to use such Power when We should commit it to them, they presumed of themselves (knowing We had appointed Our Son, the Prince, to meet Us at *Greenwich* in Our return from *Dover*) to inhibit his meeting Us there, and to endeavour to get him in to their custody.

All these things considered, and the Insolence and Injustice of the Ordinance, We might very well have rejected that Proposition with a flat denial and just indignation; but We easily perceived, that Our good People were misled by the Cunning and Malice of those *Boutefens*, and thought it alwayes compliance worthy a Prince to take all possible pains to undeceive such who are led into mistakings: and therefore We returned to their Proposition for the Ordinance a gracious Answer and Animadversion; made it evident to them, that the Preamble was in it self untrue and against Our Honour to consent to, and expressed Our clear intention in Our going to Our House of Commons. We allowed all those persons recommended to Us (except onely in Corporations, to whom a Right was formerly granted by Charter, not consistent with this Ordinance) and offered to grant such Commissions to them as had very long and happily been used in this Kingdom, and which We had this very Parliament granted to two Lords at the instance and intreaty of both Houses. If that Power should not be thought enough, We offered to grant any should be first vested in Us, and so We be enabled to grant; but desired that the whole might be digested into an Act of Parliament, whereby Our good Subjects might know what they were to doe, and what they were to suffer, that there might be the least latitude for the exercising of any Arbitrary Power over them. Which Answer We desire all Our Subjects to read and consider, whether We did not thereby grant all which themselves had first desired; and whether there was cause to vote such who advised that Answer to be enemies to the State, and mischievous Projectors against the Defence of the Kingdom.

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But as if all the Acts passed by Us (amongst which that for the taking away the Votes of Bishops out of the House of Peers was the last) were of no other value, but as instances that We would never deny them any thing, they immediately in great fury address themselves to Us with a new *humble Petition*, (as they called it, but it was indeed a Threatning) and told Us plainly, That if We would not then (in that instant) give Our Royal assent to their Ordinance, they were resolved to dispose of the *Militia* by the Authority of both Houses without Us; advised Us to stay about *London*, to put away evil Counsellors, and to let Our Son, the Prince, be and continue at *S. James's*, or some other of Our Houses near about *London*, that the Jealousies and Fears of Our People might be prevented. We must appeal to all the world, whether, considering what had been done in publick and said in private, We had no cause of Jealousie; and whether, having such evidence of the Malice, Guilt, and Power of those accused Members, who had designed to have taken the Prince, Our Son, from Us by force, it was not high time to remove a little further from that Torrent which might have overwhelmed Us, and made them as well, and by the same Rule, Masters of Our Person as of Our *Militia*. This carried Us first from *Theobald's* to *New-market*: And whosoever reads the Declaration sent Us thither, the strange language given Us and Scandals laid upon Us in that Declaration, will not wonder that We made all the haste We could from thence to *York*.

What hath hapned since Our coming hither, both in Words and Actions, is too notorious to all the parts of Christendom, who with wonder and delight are amazed to see the Wisdom, Courage, Affection and Loyalty of the *English* Nation appear so far shrunk and confounded by the Malice, Cunning and Industry of persons contemptible in Number, inconsiderable in Fortune and Reputation, united only by Guilt and Conspiracy against Us. A Licence even to Treason is admitted (that is, not punished) in Pulpits; and persons ignorant in Learning and Understanding, turbulent and Seditious in disposition, Scandalous in life, and unconformable in Opinion to the Laws of the Land, are by these men, their recommendation and authority, imposed upon Parishes, to infect and poison the minds of Our People. Our Towns, Our Goods, Our Money are taken from Us; and

to make the scorn compleat, care is taken to perswade Us that We are not injured, but that all is done for Our good. Opinions and Resolutions are imposed upon Us by Votes and Declarations, that We intended to levie War, and then Armes taken up to destroy Us; Rebellions and Treasons contrived, fomented and acted against Us, and then Reproaches cast on Us, and War raised against Us, because We are displeased. We send Our Command to Our Keeper of Our Great Seale of *England*, to Adjourn the Terme from *London* to *York*, a thing as much in Our Power as in what room of Our House We will lodge or eat. This is straight Voted to be illegal, and Our Keeper of Our Own Seal peremptorily forbid to doe his Duty, to Seal a Writ or Proclamation to that purpose; and when, in Obedience to Our expresse Command, he comes to wait on Us, he is pursued with a Warrant to all Maiors, Justices of the Peace, Sheriffs and other Officers, to apprehend him. A Committee is sent down into the Countreys near Us to execute their pretended Ordinance, who compell Our Subjects to take Arms against Us, and threaten and imprison such as refuse, without the least colour of Law; whilest such who execute Our legal Commission of Array are sent for as Delinquents, and declared to be Enemies to the Kingdom. Our own Moneys seized upon at *London*, and no supply suffered to be sent Us; all persons are forbid to come to Us, and charge given to all men near the Northern Road, to stop all Men and Horses who are for Our Service coming to *York*, there being (as Master *Hollis* saies in his Speech, of which he hath the sole Printing, and hath granted that Monopoly to one *Underhill*) a mark set upon that Place, and an opinion declared concerning those who shall resort thither. Our Highwaies are shut up, and Our good Subjects are hindred in their journeys, and their goods seized and detained from them, because they have occasions to use them in the North: Our own Household Servants refuse to attend Us upon Our Summons; and then the putting them from their Places is voted an injury to the Parliament, and whosoever shall accept of those Places, to offer an affront to the Parliament, and render themselves Unworthy of any place of Honour or Trust in the Commonwealth. Sir *John Hotham* is commended and protected for keeping Us out of Our Town of *Hull* by Force and Arms; and Our raising a Guard for Our Defence is voted levying

War

War against Our Parliament; whilst he murders Our Subjects, takes them Prisoners, burns their Houses, drowns their Land; and robs all men he can lay hold of, and commits all the insolent Acts of Hostility against Us and Our Subjects which the most equal and declared Enemies practise in any Countrey. And when, after all these Outrages, Our miserable Subjects throw themselves at Our feet, crying for and challenging Our Protection, We must not perform that Duty towards them, nor presume to say Sir *John Hotham* is a Traitor, because he hath Privilege of Parliament. Our Royal Navy, Our own Ships are taken from Us, the Earle of *Warwick* made Our Admiral in despite and scorn of Us, who chases Our Subjects, and makes War upon Us, under the Authority of another pretended Ordinance; and his Letter published by the direction of the House of Peers, to shew how easie it was to make an election rather to despise Us and the known unquestionable Law of the Land, then to neglect an Order of both Houses, in a matter they have no more just power to meddle in then they have to sell Our Houses, Parks and Crown-Land: and they may as lawfully send those Ships to the *Indies*, and ordain that We shall never have more, as keep them in the Downs against Our will, and under a Command We do protest against to all the world. We are defamed and publickly reproached for want of zeal against the Rebels in *Ireland*; and when We offer to venture Our own Person and Our Crown-Land for the relief of Our miserable Subjects there, such a Journey is Voted to be against the Law, to be an encouragement to the Rebels, that whoever shall assist Us in it shall be an Enemy to the Commonwealth, and that the Sheriffs of Counties shall raise power to suppress any Levies We shall make to that purpose. And after all this (when it hath been publickly said by Master *Martin*, *That Our Office is forfeitable, and that the Happiness of this Kingdom doth not depend upon Us or any of the Regal Branches of that Stock*; and by Sir *Henry Ludlow*, *That We are not worthy to be King of England*; and been declared, that *We have no Negative voice*, which puts Our Crown, the Law of the Land, the Liberty and Property of the Subjects absolutely into their hands) We are told by these devout Champions for Anarchie and Confusion, *That We are fairly dealt with that We are not deposed; That if they did that, there would be neither want of Modesty or Duty*

in them: They publish false scandalous Declarations to corrupt Our good Subjects in their Loyalty and Affection to Us, injoyn them to be read, and disperse them with all Care and Industry; and send for all Ministers who, according to Our Command, publish Our Answers to undeceive Our People, as Delinquents, notwithstanding We have not prohibited any to read theirs: They commit the Lord Maior of *London* (and other Maiors) for publishing Our Proclamations according to Our Writ and his Oath, and streightly charge all Our Ministers of Justice not to obey Us: They raise an Army against Us, and chuse the Earle of *Effex* for their General, and grant him a power over Us, the Law, and all Our People, that he may kill and destroy whom he thinks fit; and impose an Oath upon Our Subjects, to execute all the Commands of both Houses: They wast and consume the Money given by Act of Parliament for the discharge of the great Debt of the Kingdom, and for the relief of the bleeding Condition of *Ireland*; imploy the Money brought in by the Adventurers, and those men who are levied by Our Authority and Commission, for the preservation of Our miserable Subjects there, to serve them in a War against Us; whereby all men may see what reason We had not to consent to a Warrant dormant, under pretence of Levies for *Ireland*, which might have furnished them with men to fight against Us, as the same Pretence hath done with all the Arms We had in Our Magazines: They commit such of Our Subjects to Prison whom they are pleased to suspect, (as the Earle of *Portland*,) and for no other reason but that they believe them loyal to Us; censure and degrade nine Lords at a clap, for obeying Our Summons and coming to Us, when scarce that number concurred in the Judgement; and declared two others Enemies to the Commonwealth, taking their Votes from them, without so much as summoning them to answer any Charge brought against them: They presume to take Tonnage and Poundage by a pretended Ordinance, without Our Consent, though they have so often pressed it against Us, that We took it without theirs; and so now dispence with a *Premunire* made this Parliament, as they have formerly done with Treason: Lastly, to shew into what hands they intend the Government of this Kingdom shall be put, they have reduced the business of the whole Kingdom, from both Houses of Parliament, into the hands of a few desperate persons, who have the
power

power committed to them to act this Tragedy without acquainting the Houses, and so have gotten the Authority of King and both Houses of Parliament to destroy all Three; make Orders to break up Houses, take away Plate and Money, because 'tis possible the Owners wish it with Us at York; send Troops of Horse to make War upon Us in what Counties they please, and commit such unheard-of Acts of Oppression and Injustice as no Story can parallel, where the least form of Government hath been left; that all Our good Subjects may see by what Rules they shall live, and what Right they are like to enjoy, when these men have gotten the Sway, who in the infancy of their Power, and when there is yet left some memory of and reverence to the Laws under which their Fathers lived so happily, dare leap over all those known and confessed Principles of Government and Obedience, and exercise a Tyranny both over Prince and People more insupportable then Confusion it self.

And for all this impudent Injustice (odious to God and Man) what is objected against Us? That We will not be advised by Our Parliament. In what? what one Proposition that is evidently for the ease of Our Subjects have We denied? That We have granted many is confessed. We will not consent that the Ordinance of the *Militia* shall be executed and obeyed; that is, We will not allow that both Houses of Parliament shall make Laws, and impose upon the Property and Liberty of Our Subjects, without Our Consent, (which if We should yield to upon the same pretences of Necessity, a word fatal to this Kingdom and the publick good, the House of Commons might as well, and would quickly come to make Laws without the House of Peers, and the common People without either) nor are willing that those men who have discovered all Malice to Our Person, and dis-esteem and irreverence of Our Office, shall be legally qualified to take up Arms against Us, when they shall be thereunto provoked by their Malice or Ambition.

There can be no new thing said in this Argument; We must referre Our good Subjects to Our several Answers, Declarations and Proclamations in that point: only it will be worth their considering, that this extraordinary, unheard-of, extravagant Power was assumed in a case of peremptory Necessity, for the prevention of imminent Danger in the beginning of *March* (how long it was

in design before is understood by Sir *Arthur Hesilrigge* his Bill long preceding;) whether any such Danger hath been since discovered, and whether unspeakable Calamities have not already, and are not like to ensue from that Fountain, We wish it were not too apparent. And if those Fears and Jealousies which seem to make that Ordinance necessary were indeed real and honest, that in truth nothing were desired but putting the Kingdom into a posture, that is, that all Our Loving Subjects might be provided with Arms, and dexterous in the using them, if any Invasion or Rebellion should be, is not all this Care taken, and all this Security provided for by the Commission of Array? What honest end can that Ordinance have which is not obtained by the execution of and obedience to that Commission? But 'tis true, the power is not in those hands, nor like to be employed to those uses 'tis now intended. Who hath not heard these men say, *That the alteration they intend, and is necessary both in Church and State, must be made by blood?* Are not the Principles by which they live destructive to all Laws and Compacts? Is not every thing Necessary they think so, and every thing lawful that is in order to that Necessity? Sure if Our good Subjects were thoroughly awake in this business, they would think they had much more cause to thank Us for denying this Ordinance, then for granting all that We have granted.

What is there else? We do not think Sir *John Hotham* hath dealt well with Us in keeping Our Town from Us, nor do take it kindly that We are robbed of Our Magazine and Munition, but think of recovering both by Force, because We cannot have them otherwise; which will be an actual levying War against Our Parliament. This Argument is sufficiently vexed too: Our good Subjects will read the Messages, Answers, Votes and Declarations in this Case; and We are sure upon the grounds laid to justify this Treason, no Subject in *England* hath a House of his own which may not to morrow be given to Sir *John Hotham* for as long a term as they think fit, and he may be sent to morrow to murder Us, and be no Traitor, and they who shall shut the door against him shall be Delinquents.

Is there no more? Yes, We will not submit to those Nineteen dutiful and modest Propositions which have been lately thrown at
Us

Us as the necessary means of removing Jealousies and Differences, and as the last Complement of all their Scorns and Injuries; that Posterity may see to what a tameness We were brought when such things were asked of Us: We will not be content that all Our Officers and Ministers of State, be they never so faithful to Us, so affectionate to their Country, never so wise, never so honest, shall be immediately removed from Us and their places, be disgraced and undone, and in their rooms these Gentlemen (who have taken all possible pains to destroy King and People) or such whom they shall recommend, to succeed; that the same Faction may be carried through the whole Kingdom, which these men have raised in both Houses of Parliament; that all Affairs of the Kingdom be managed not only by their Advice, but their absolute Direction and Command, lest any man should think himself Our Servant; that the Education and Marriage of Our Children be committed to them, lest any Christian Prince should make addresses to Us in such Treaties; in a word, that in gratitude to their Modesty and Duty for not deposing Us, We will not now depose Our Self, and suffer the People and Kingdom (which God and the Law hath committed to Our Government and Protection, and for which We must make an account) to be devoured by them. Sure these men think 'tis no affront to ask any thing.

But can Our good Subjects be longer kept in this Trance? Can the Nobility, Gentry, Clergy, Commonalty of *England*, sacrifice their Honour, Interest, Religion, Liberty, to Terms, and the mere sound of Parliament and Privilege? Can their Experience, Reason and Understanding be captivated by words and assumptions contradictory to all Principles? What one thing have We denied that with reference to the publick Peace and Happiness were to be bought with the loss of the meanest Subject? And yet into what a Sea of blood is the rage and fury of these men launching out, to wrest that from Us which We are bound (if We had a thousand lives to lose in the contention) to defend? Nay, what one thing is there that makes life precious to good men which We do not defend, and these men oppose, and would evidently destroy? What Grievance or Pressure have Our People complained of, and been eased by Us, which is not now brought upon them in an unlimited degree?

Is the true Reformed Protestant Religion, sealed by the blood of so many Reverend Martyrs, and established by the Wisdom and Piety of former blessed Parliaments, dear to them? We must appeal to all the world (being called upon by the Reproaches of these men) whether Our own practice, (the best evidence of Religion) and all the assistance and offers We can give, have been wanting to the Advancement of that Religion. And what can be more done by Us to satisfy and secure Our People in that point? On the other side, let all Our good Subjects consider and weigh what pregnant Arguments they have to fear Innovation in Religion if these desperate persons prevail, when the principal men to whose care and authority they have committed the managery of that part refuse Communion with the Church of *England* as much as the Papists do; and have not onely with that freedom they think fit to use reproached the Book of Common-Prayer and the Government of the Church in their Speeches, but have published those Speeches in the view of all men in Print, that the world might see by what Measure and Rule the Reformation they so much talk of is to be made: when such Petitions have been contrived by them, and accepted with publick thanks, which revile the Book of Common-Prayer, calling it a Mass-book, in scorn and contempt of the Law; whilest other Petitions for the Government established by Law have been rejected, discountenanced, and the Petitioners punished: and when two Armies were kept in the bowels of the Kingdom ten weeks, at the charge of fourscore thousand pounds a Moneth, for the countenance of a Bill to eradicate Episcopacy *Root and Branch*: when such licence is given to *Brownists*, *Anabaptists* and *Sectaries*; and whilest Coachmen, Felt-makers and such Mechanick persons are allowed and entertained to preach by those who think themselves the principal Members of either House: when such barbarous Outrages in Churches, and heathenish Irreverence and Uproars, even in the time of Divine Service and the Administration of the blessed Sacrament, are practised without controll: when the blessed means of advancing Religion, the Preaching of the Word of God, is turned into a licence of Libelling and Reviling both Church and State, and venting such Seditious Positions as by the Laws of the Land are no less then Treason, and scarce

scarce a man in Reputation and Credit with these grand Reformers, who is not notoriously guilty of this; whilst those Learned, Reverend, Painful and Pious Preachers, who have been and are the most eminent and able Assertors of the Protestant Religion, are (to the unspeakable joy of the Adversaries to Our Religion) disregarded and oppressed: lastly, when for the settling and composing all these Distractions and Distempers, in stead of a free and general Synod of Grave and Learned Divines which hath been so much talked of (and to whose deliberations We were and are willing to commit the Consideration of those Affairs) a Conference is desired with particular men nominated by themselves, contrary to the Rights and Practice of the Church; the major part of whom (though We confess there are many Reverend, Learned and Pious persons amongst them) are not of Learning nor Understanding futable to so great a Work, or are of known avowed Disaffection to the Doctrine and Discipline of the Church, and of those who have preached Seditiously and Treasonably against Our Person and Authority, as Doctor *Downing* and others. Whoever from his Soul desires a true Examination and Reformation in Religion cannot expect it from the results of these mens Counsels, nor think the true Service of God is like to be advanced or preserved by such practices. And all sober men must look with strange Horrour and Indignation upon the last Declaration of the Lords and Commons, which after such unprecedented Outrages and Violences against Us, publishes the ground of their taking up defensive Arms (as they call them) to be for the maintenance of the true Religion; the taking and keeping of *Hull*, Our Navy, Our Money and Goods, the exercising of the *Militia*, and all the other Injuries We complain of, to be for the maintenance of Religion. But whosoever believes them to be for the preservation of Our Person, may believe the other too.

Would men enjoy the Laws they were born to, the Liberty and Property which makes the Subjection of this Nation famous and honourable with all neighbouring Kingdoms? We have done Our part, to make a Wall of Brasse for the perpetual defence of them; whilst these ill men usurp a Power to undermine that Wall, and to shake those Foundations, which cannot be pulled down, but

to the confusion of Law, Liberty, Property, and the very Life and Being of Our Subjects.

Is the Dignity, Privilege and Freedom of Parliament (Parliaments whose Wisdom and Gravity have prepared so many wholesome Laws, and whose Freedom distinguishes the Condition of Our Subjects from those of any Monarchy in *Europe*) precious unto Our People? Where was that Freedom and that Privilege when the House of Commons presumed to make Laws without the House of Peers, as they did in their Vote upon the Protestation, and of the 9th of *September*; when the House of Commons and the House of Peers presumed to make Laws without Our Consent, as they have done in the business of the *Militia*, of *Hull*, in the behalf of their Champion, Serjeant Major General *Skippon*, of the Earl of *Warwick*, of their new General, the Earl of *Effex*, (*with whom they will live and dy*) and many other Cases? Where was that Freedom and Privilege when Alderman *Pennington* and Captain *Venne* brought down their *Myrmidons* to assault and terrifie the Members of both Houses, whose faces or whose opinions they liked not, and by that Army to awe the Parliament; when those rude Multitudes published the names of the Members of both Houses as Enemies to the Commonwealth, who would not agree to their frantick Propositions; when the names of those were given by Members of the House, that they might be proscribed, and torn in pieces by those multitudes; when many were driven away for fear of their Lives from being present at those Consultations; and when Master *Hollis* required the names of those Lords who would not agree with the House of Commons? Lastly, where was that Freedom and Privilege of Parliament, when Members of the one House that had been questioned for words spoken in the House, and one freed, the other but reprehended by Vote of the major part, were again questioned by the other House, and a charge brought against them for these words?

Is Honour, Reputation, Freedom and Civility to be esteemed? What causeless Defamations have been raised and entertained upon Persons of quality and unblemished estimation, upon no grounds, or appearance of reason, but because their opinions ran not with the Torrent? What careffes have been and are made to persons loose, vicious and debauched, of no Vertue, no Religion, no Reputation,
but

but of Malice and Ingratitude to Us? Their names will be easily found out by all mens observation and their own blushes, though they shall not have the honour of Our mention. How have the Laws of Hospitality and Civility been violated, the freedom and liberty of Conversation (the pleasure and delight of life) been invaded by them; the discourses at Tables, whispers in Gardens and Walks examined, and of persons under no accusation; Letters broken up (Our own to Our dearest Consort, the Queen, not spared) read publickly and commented upon, with such Circumstances as makes Christendom laugh at Our follies, and abhorre Our correspondence?

Is Peace and tranquillity dear to Our Subjects? To shew that We have left no way to that (not destructive to Honour and Justice) unattempted, We offered to lay down Our Arms upon no other Reparations for all the Indignities multiplyed upon Us then these, That they should lay down theirs, so unjustifiably taken, and We have Our own Town, Goods and Navie (taken and kept by violence from Us) to be peaceably restored to Us, and the Power of making Laws without Us by the way of Ordinances (which implies a power by Ordinance to depose Us) and that in particular concerning the *Militia*, to be disavowed, and a safe place to be agreed on where We might be present with Our great Council, for the composing of all Mis-understandings, and making this Kingdom happy. Which Offers not only were not accepted, but not so much as any Answer directed immediately to Us, somewhat only sent down by their under-Clerk, which, with their first Petition and Our Answer (We are much pleased to hear) are ordered to be printed and read in all Churches (We desire no better evidence then Our and their Writings and Actions, and no better Judges and Witnesses then Our People, of Our love to Peace.) And even before this kinde of Answer came to Us, whilst We, with patience and hope expecting such a return as We desired, forbore any action or attempt of Force, according to Our Promise, Sir *John Hotham* sallied out in the night, and murdered the persons of his fellow-Subjects; and ever since in this Quarrel they labour to increase their Army, (the very levying of which is Treason) and are ready to march against Us. Let all the world judge who are lovers of the Peace.

Lastly,

Lastly, is the Constitution of the Kingdom to be preserved, and Monarchy it self upheld? Can any thing be more evident then that the End of these men is, or the Conclusion which must attend their Premisses must be, to introduce a Parity and Confusion of all degrees and conditions? Are not several Books and Papers (such as the *Observations upon parts of Our Messagès*) published by their direction, at least under their countenance, against Monarchy it self? Is it possible for Us to be made vile and contemptible, and shall Our good Subjects continue as they are: Can Our just Power be taken from Us, and shall they enjoy their liberty? Whosoever is a friend to the constitution of the Kingdom must be an enemy to these men. How the benefit, advantages and hopes of the Kingdom have been and are advanced and promoted by these men, all good men see and discern.

Let Us consider now, whether all those Grievances and Pressures which Our Subjects have heretofore suffered under, and of which Our Justice and Favour hath eased them, be not by the Faction and Tyranny of these men redoubled upon Our People. Were the Consciences of men grieved and scandalized at the too much Formality and circumstances used in the exercise of Religion? and are they not equally concerned in the Uncomeliness, Irreverence and Prophaneness now avowed to the dishonour of Christianity? Were they troubled to see the Pulpit sometimes made a Barr to plead against the Liberty and Property of the Subject? and are they not more confounded to see it so generally made a Scaffold to incite the People to Rebellion and Sedition against Us? Have Our People suffered under and been oppressed by the exercise of an Arbitrary Power, and out of a sense of those Sufferings have We consented to take away the Star-Chamber, the High-Commission Courts, to regulate the Council-Table, and to apply any remedies have been proposed to Us for that disease? and have not these men doubled those Pressures in the latitude and unlimitedness of their proceedings, in their Orders for the Observation of the Law, as they pretend, and then punishing men for not obeying those Orders in a way and a degree the Law doth not prescribe; in their sending for Our good Subjects upon general informations without proof, and for Offences which the Law takes no notice of; in declaring men enemies

to the Commonwealth, fining and imprisoning them, for doing or not doing that which no known Law enjoyns or condemns? Were the Pursuivants of the Councel-table, the delay and attendance there or at the High-Commission Court, the Judgements and Decrees of the Star-Chamber more grievous, grievous to more persons, more chargeable, more intolerable then the Serjeants and Officers Fees, the Attendance upon the Houses and upon Committees, or then the Votes and Judgements which have lately passed in one or both Houses? Let all the Decrees, Sentences and Judgements of the High-Commission Court and Star-chamber be examined, and any found so unjust, so illegal as the proceedings against the Gentlemen of *Kent*, for preparing and presenting a Petition agreeable in form and matter to all the Rules of Law and Justice, by which men are to be informed to ask any thing; as the judgement against Mr *Binyon*, that he should be disfranchised, be incapable of ever bearing Office in the Commonwealth, imprisoned in the Gaol at *Colchester* for the space of two years, and to pay three thousand pounds fine, nothing being charged and proved against him that any Law or Reason could tell him he was not to doe. Though the Sentences in the other Courts were in some cases too severe, and exceeded the measure of the offence, there was still an offence, somewhat done that in truth was a crime: but here Declarations, Votes and Judgements passe upon Our People for matters not suspected to be crimes till they are punished. And have such proceedings ever been before this Parliament? If Monopolies have been granted to the prejudice of Our People, the calamity will not be less if it be exercised by a good Lord, by a Bill, then it was before by a Patent; and yet the Earle of *Warwick* thinks fit to require the Letter-Office to be confirmed to him for three lives at the same time that 'tis complained of as a Monopoly, and without the alteration of any Circumstance for the ease of the Subject; and this with so much greediness and authority, that whilest it was complained of as a Monopoly, he procured an Assignment to be made of it to him from the person complained of, after he had by his Interest stopped the proceedings of the Committee for the space of five Moneths before that Assignment made to him, upon pretence that he was concerned in it, and desired to be heard: Of such sovereign Power was his Name, as it could be no longer a Grievance to Our People if it might prove an
Advan-

Advantage to him. A Precedent very likely to be followed in many Monopolies, if they may be assigned to Principal Members or their friends: witness the connivence now given to Sir *John Meldrum* for his Lights, since his undertaking their Service at *Hull*. Have Partiality and Corruption in Judges obstructed the course of Justice? was there ever such Partiality and Corruption, when their fellow-Members of either House are by them importuned and solicited for their Votes in causes before them, and no other measure or Rule to the Justice of that Faction than the opinions of the persons contending? What sums of money have been given to, and what contracts have been made with some Members of either House, who are of this powerful Faction We complain of, for preserving this man from being questioned, and promoting an Accusation against that man, for managing such a Cause, and procuring such an Order? We are very well able to give particular Information, which We shall willingly doe, when there may be such a sober and secure debate as becomes the Dignity and Freedom of Parliament, and the Witnesses, now within their reach, may neither be awed nor tampered with before Trial. For how little care there is taken for discoveries of this nature, appears by that which upon complaint of a slander against Master *Pym* was justified, and the Author averred against him, for taking thirty pound Bribe to preserve a Papist from legal prosecution, which hath been so long suffered to sleep at a Committee.

Our Case is truly stated, so truly, that there is scarce any Particular urged or alleaged by Us which is not known to many, and the most to all men. And must Our Condition be now irreparable? Are the Injuries committed against Us and the Law justifiable? And must We be censured for using all possible means to be freed from them, or to be repaired for them, because they seem to carry the Name, Consent and Authority of both Our Houses of Parliament? There is not a Particular of which We complain that found not eminent opposition in both Houses, and yet for the most part not above a moiety of either House present. The Order of the ninth of *September* (an Order to suspend the execution of Laws in force) passed when there were not above eighty Commoners, of which many dissented, and but twenty Lords, whereof eleven (the major part) expressly contradicted it. The first unreasonable Remonstrance (the fountain from whence all the present

present mischiefs have flowed) was carried but by eleven Voices after fifteen houres sitting, when above two hundred were absent, and was never approved by the Lords. The business of the *Militia* was at least twice rejected by double their number in the House of Peers who consented to it, there being no Popish Lord present, and twelve Bishops in the Tower ; and yet this proposed again, the House being made thin of those Lords who had formerly opposed it, who went out immediately (it being their usual course, to watch such opportunities to effect their businesses) after Master *Hollis* his Threats, and then carried. The Declaration against Us sent to *New-market* was carried but by one Voice in the House of Peers, and by a small number in the House of Commons. The justifying Sir *John Hotham* in his Act of High Treason was opposed by many Persons of great worth, though neither House had half its number. And We are very far from censuring all those Persons who concurred in these or any other particulars ; We believe very many of them stood not in so clear a light to discern the Guilt, Malice, Ambition or Subtilty of their Seducers. But if in truth there were a consent entirely in both Houses of Parliament (as We are most assured there will never be) to alter the whole frame of Government, must We submit to those Resolutions, and must not Our Subjects help and assist Us in the defence of Laws and Government established, because they do not like them ? Did We intend when We called them to that great Council, or did Our good Subjects intend when they sent them thither in their behalfs, that they should alter the whole frame of Government according to their own Fancies and Ambition, and possesse those Places during their Lives ? What Our opinion and resolution is concerning Parliaments, We have fully expressed in Our Declarations : We have said, and will still say, they are so essential a part of the Constitution of this Kingdome, that We can attain to no Happiness without them, nor will We ever make the least attempt (in Our thoughts) against them. We well know that Our Self and Our two Houses make up the Parliament, and We are like *Hippocrates* Twins, We must laugh and cry, live and dye together ; that no man can be a friend to the one, and an enemy to the other ; the Injustice, Injury and Violence offered to Parliaments, is that which We principally complain of: and We again assure all Our good Subjects, in the presence of Almighty God, that all the Acts passed by Us this Parliament shall be equally observed by Us, as We desire those to be which do most concern Our Rights.

Our Quarrel is not against the Parliament, but against particular men, who first made the Wounds, and will not now suffer them to be healed, but make them deeper and wider, by contriving, fostering and fomenting Mistakes and Jealousies betwixt Body and Head, Us and Our two Houses of Parliament; whom We name, and are ready to prove them guilty of High Treason. We desire that the Lord Kimbolton, M^r Hollis, M^r Pym, M^r Hampden, Sir Arthur Hesilrigge, M^r Stroud, M^r Martin, Sir Henry Ludlow, Alderman Pennington and Captain Venn, may be delivered into the hands of Justice, to be tried by their Peers, according to the known Law of the Land: if We do not prove them guilty of High Treason, they will be acquitted, and their Innocence will justly triumph over Us. Against the Earle of Warwick, the Earle of Essex, Earle of Stamford, Lord Brook, Sir John Hotham, Serjeant Major General Skippon, and those who shall henceforth exercise the Militia by virtue of the Ordinance, We shall cause Indictments to be drawn of High Treason upon the Statute of the 25. year of King Edward the Third: Let them submit to the Trial appointed by Law, and plead their Ordinances; if they shall be acquitted, We have done.

And that all Our loving Subjects may know, that in truth nothing but the preservation of the true Protestant Religion invaded by *Brownisme*, *Anabaptisme* and *Libertinisme*; the Safety of Our Person, threatned and conspired against by Rebellion and Treason; the Law of the Land and Liberty of the Subject, oppressed and almost destroyed by an Usurped, Unlimited, Arbitrary Power; and the Freedom, Privilege and Dignity of Parliament, awed and insulted upon by Force and Tumults, could make us put off Our long-loved Robe of Peace, and take up defensive Arms; We once more offer a free and a gracious Pardon to all Our loving Subjects who shall desire the same (except the persons before named,) and shall be as glad with Safety and Honour to lay down these Arms, as of the greatest Blessing We are capable of in this world. But if to justify these Actions and these Persons Our Subjects shall think fit to engage themselves in a War against Us, We must not look upon it as an Act of Our Parliament, but as a Rebellion against Us and the Law in the behalf of these men, and shall proceed for the suppressing it with the same Conscience and Courage as We would meet an Army of Rebels, who endeavour to destroy both King and People: And We will never doubt to find honest men enough of Our mindes.

¶ The true Copy of the Petition prepared by the Officers of the late Army, and subscribed by His Majestie with C. R.

To the KING'S most Excellent Majesty, the Lords Spiritual and ^{MDCXLI.}
Temporal, the Knights, Citizens and Burgessees now assembled ^{April.}
in the High Court of Parliament,

The Humble Petition of the Officers and Souldiers of the Army.

Humbly sheweth,

That although our Wants have been very pressing, and the Burthen we are become unto these parts (by reason of those Wants) very grievous unto us; yet so have we demeaned our selves, that Your Majesties great and weighty Affairs in this present Parliament have hitherto received no interruption by any Complaint either from us or against us; A temper not usuall in Armies (especially in one destitute not onely of Pay, but also of Martial Discipline, and many of its principal Officers:) That we cannot but attribute it to a particular blessing of Almighty God on our most hearty affection and zeal to the Common good in the happy success of this Parliament; to which as we should have been ready hourly to contribute our dearest blood, so now that it hath pleased God to manifest his blessing so manifestly therein, we cannot but acknowledge it with thankfulness. We cannot but acknowledge his great Mercy in that he hath inclined Your Majesties Royal heart so to co-operate with the wisdom of the Parliament, as to effect so great and happy a Reformation upon the former Distempers of this Church and Commonwealth: As first, in Your Majesties gracious condescending to the many important Demands of our neighbours of the Scottish Nation; secondly, in granting so free a course of Justice against all Delinquents, of what quality soever; thirdly, in the removal of all those Grievances wherewith the Subjects did conceive either their Liberty of Persons, Propriety of Estate, or Freedom of Conscience prejudiced; and lastly, in the greatest pledge of security that ever the Subjects of England received from their Sovereign, the Bill of Triennial Parliaments. These things so graciously accorded unto by Your Majesty without bargain or compensation, as they are more then expectation or hope could extend unto, so now certainly they are such as all Loyal hearts ought to requiesce in with thankfulness, which we do with all humility;

and do at this time, with as much earnestness as any, pray and wish that the Kingdom may be settled in peace and quietness, and that all men may at their own homes enjoy the blessed fruits of Your Wisdom and Justice.

But may it please Your Excellent Majesty and this High Court of Parliament to give us leave, with grief and anguish of heart, to represent unto You, that We hear that there are certain persons stirring and practical, who, in stead of rendring Glory to God, Thanks to His Majesty, and acknowledgement to the Parliament, remain yet as unsatisfied and mutinous as ever; who, whilst all the rest of the Kingdom are arrived even beyond their wishes, are daily forging new and unreasonable demands; who, whilst all men of Reason, Loyalty and Moderation, are thinking how they may provide for Your Majesties Honour and Plenty, in return of so many Graces to the Subject, they are still attempting new Diminutions of Your Majesties just Regalities, which must ever be no less dear to all honest men then our own Freedoms; in fine, men of such turbulent spirits, as are ready to sacrifice the Honour and Welfare of the whole Kingdom to their private fancies (whom nothing else then a subversion of the whole frame of Government will satisfie.) Far be it from our thoughts to believe, that the Violence and Unreasonableness of such kinde of persons can have any influence upon the Prudence and Justice of the Parliament. But that which begets the trouble and disquiet of Our Loyal hearts at this present is, That we hear those ill-affected persons are backed in their Violence by the Multitude, and the power of raising Tumults; that thousands flock at their call, and beset the Parliament (and White-Hall it self) not onely to the prejudice of that freedom which is necessary to great Councils and Judicatories, but possibly to some personal danger of Your Sacred Majesty and Peers. The vast consequence of these Persons Malignity, and of the Licentiousness of those Multitudes that follow them, considered, in most deep care and zealous affection for the Safety of Your Sacred Majesty and the Parliament, Our Humble Petition is, that in Your wisdoms You would be pleased to remove such Dangers, by punishing the Ring-leaders of these Tumults, and that Your Majesty and the Parliament may be secured from such Insolencies hereafter. For the suppressing of which, in all humility we offer our selves to wait upon You (if You please) hoping we shall appear as considerable in way of Defence to our Gracious Sovereign, the Parliament, our Religion, and the established Laws of the Kingdom, as what number soever shall audaciously presume to violate them: so shall we, by the wisdom of Your Majesty and the Parliament, not onely be vindicated from precedent Innovations, but be secured from the future that are threatned, and likely to produce more dangerous effects then the former.

And we shall pray, &c.

His

*His MAJESTIES Declaration to all his loving Subjects MDCXLII.
upon occasion of His late Messages to both Houses of Par-
liament, and their refusal to Treat with Him for the Peace
of the Kingdom.*

IF it had not evidently appeared to all men who have carefully examined and considered Our Actions, Messages and Declarations, how farre We are and have been from begetting or promoting the present Distractions, and that the Arms We have now taken are for the necessary safety and defence of Our Life, being not taken up by Us till Our Town and Fort of *Hull* were kept from Us by force of Arms, Our Navy imployed against Us, to keep back all forein supply of Arms and Money, when Our own here was seized and detained from Us, and an Army raised in pay, and marching against Us; yet the late reception of Our Message of the 25th of *August* sent by persons of Honour and Trust will sure satisfy the world, that We have omitted nothing on Our part that a gracious and Christian Prince could or can doe to prevent the effusion of Christian Blood, but that the malignant party, which have with great subtilty and industry begot this Misunderstanding between Us and Our good Subjects, resolve to satisfy and secure their Malice and Ambition with the Ruine of the Kingdom, and in the blood of Us and all Our good Subjects.

When they had forced Us, after the neglect of Our Message from *Beverly*, by raising a great Army, and incensing Our Subjects against Us, to erect Our Royal Standard, that Our Subjects might be informed of Our Danger, and repair to Our Succour, though We had no great reason to believe any Message of Ours would receive a very good entertainment, if those men might prevail who had brought all these Miseries upon the Kingdom to satisfy their own private ends; yet observing the miserable Accidents which already befell Our good Subjects by the Souldiers under their command, and well knowing that greater would ensue if timely prevention were not applied, and finding that the Malice and Cunning of these men had infused into Our People a Rumor that We had re-

jected all Propositions and offers of Treaty, and desired to ingage Our Subjects in a Civil Warre, which Our Soul abhorres, We prevailed with Our Self (for a full expression of Our desire to prevent the effusion of Blood) to send a gracious Message to both Our Houses of Parliament on the 25 of August, in these words ;

His Majesties
gracious Mes-
sage to both
Houses of Par-
liament, sent
frō Nottingham
Aug. 25. 1642.
by the Earls of
Southampton &
Dorset, Sr John
Culpeper Chan-
cellor of the
Exchequer, and
Sr William Udall.

WE have with unspeakable grief of heart long beheld the Distractions of this Our Kingdom; Our very Soul is full of anguish, untill We may finde some remedy to prevent the Miseries which are ready to overwhelm this whole Nation by a Civil War: And though all Our endeavours tending to the Composing of those unhappy Differences betwixt Us and Our two Houses of Parliament (though pursued by Us with all zeal and sincerity) have been hitherto without that Success We hoped for; yet such is Our constant and earnest care to preserve the publick Peace, that We shall not be discouraged from using any Expedient which, by the blessing of the God of Mercy, may lay a firm foundation of Peace and Happiness to all Our good Subjects. To this end observing that many mistakes have arisen by the Messages, Petitions and Answers betwixt Us and Our two Houses of Parliament, which haply may be prevented by some other way of Treaty, wherein the matters in difference may be more clearly understood and more freely transacted; We have thought fit to propound to you, That some fit persons may be by you inabled to treat with the like number to be authorized by Us, in such a manner and with such freedom of debate as may best tend to that happy Conclusion which all good men desire, The peace of the Kingdom: Wherein as We promise in the Word of a King all safety and encouragement to such as shall be sent to Us, if you shall chuse the place where We are for the Treaty, which We wholly leave to you, presuming of your like care of the safety of those We shall imploy, if you shall name another place; so We assure you and all Our good Subjects, that (to the best of Our understanding) nothing shall be therein wanting on Our parts which may advance the True Protestant Religion, oppose Popery and Superstition, secure the Law of the Land (upon which is built as well Our just Prerogative as the Propriety and Liberty of the Subject) confirm all just Power and Privileges of Parliament, and render Us and Our People truely happy by a good understanding betwixt Us and Our two Houses of Parliament. Bring with you as firm Resolutions to doe your Duty, and let all Our good People joyn with Us in Our Prayers to Almighty God for his Blessing upon this Work.

If this Proposition shall be rejected by you, We have done Our Duty so amply,
that

that God will absolve Us from the Guilt of any of that Blood which must be spilt: and what opinion soever other men may have of Our Power, We assure you nothing but Our Christian and Pious care to prevent the effusion of blood hath begot this Motion; Our Provision of Men, Arms and Money being such as may secure Us from farther Violence, till it shall please God to open the eyes of Our People.

Our Messengers were not suffered to sit in the Houses, and one of them, the Earl of Southampton (against whom there was not the least colour of Exception, or so much as a Vote) not suffered to deliver Our Message, but compelled to send it by the Gentleman Usher, and then commanded to depart the Town, before they would prepare any Answer; which they shortly sent Us in these words;

May it please Your Majesty,

THe Lords and Commons in Parliament assembled having received Your Majesties Message of the 25. of August, do with much grief resent the dangerous and distracted state of this Kingdom, which we have by all means endeavoured to prevent, both by our several Advices and Petitions to Your Majesty, which have been not onely without success, but there hath followed that which no ill Counsel in former times hath produced or any Age hath seen, namely, those several Proclamations and Declarations against both the Houses of Parliament, whereby their Actions are declared Treasonable, and their Persons Traitors; and thereupon Your Majesty hath set up Your Standard against them, whereby You have put the two Houses of Parliament, and in them this whole Kingdom, out of Your Protection: so that untill Your Majesty shall recall those Proclamations and Declarations whereby the Earl of Essex and both Houses of Parliament, and their Adherents and Assistants, and such as have obeyed and executed their Commands and Directions according to their Duties, are declared Traitors, or otherwise Delinquents, and untill the Standard set up in pursuance of the said Proclamations be taken down, Your Majesty hath put us into such a condition, that whilest we so remain we cannot by the fundamental Privileges of Parliament, the publick Trust reposed in us, or with the general good and safety of this Kingdom, give Your Majestie any other Answer to this Message.

The Answer of
the Lords and
Commons to
His Majesties
Message the 25
of Aug. 1642.

Joh. Brown Cler. Parliament.

H. Elsing Cler. Parl. D. Com.

(S 4)

This

This strange Answer might well have discouraged Us from any thought of proceeding further this way, and informed Us sufficiently what spirit still governed amongst those few who continued still in both Houses; otherwise, after so many bitter and invective Messages and Declarations sent to Us and published against Us, We should not have been reproached with Our Proclamations and Declarations set forth by Us as the effect of such evil Counsel as was unparallel'd by any former Examples. We believe indeed such Proclamations and Declarations have never been before set forth; but were former times ever acquainted with such intolerable Provocations? Were there ever before these twelve months Declarations published in the name of either or both Houses of Parliament to make their King odious to the People? Have either or both Houses ever before assumed or pretended to a Power to raise Armes or levy Warre in any Cause? or can both Houses together exercise such a Power? Are those Actions which the Law hath defined literally and expressly to be Treasonable, or such Persons to be Traitours, not so, because they are done by Members of either House, or their appointment? And must not We declare such who March with Arms and Force to destroy Us to be Traitours, because the Earl of *Effex* is their General? Those whom We have or do accuse We have named, together with their Crimes, notorious by the known Law of the Land, (a favour not granted to Our Evil Counsellors) and appeal to that known Law to judge between Us: And now that by this We should have put the whole Kingdom out of Our Protection (in whose behalf We doe all that We have done) is a corrupt Gloss upon such a Text as cannot be perverted but by the cunning practices of such who wish not well to King or People. Yet that no weak persons might be misled by that Imputation upon Us, we sent a Reply to that Answer in these words;

His Majesties
Reply to an
Answer sent by
the two Houses
of Parliament
to His Majesties
Message of the
25 of August,
concerning a
Treaty of Ac-
commodation.

WE will not repeat what means We have used to prevent the dangerous and distracted estate of the Kingdom, nor how those means have been interpreted, because being desirous to avoid effusion of blood, We are willing to decline all memory of former bitterness that might make Our offer of a Treaty less readily accepted.

We never did declare, nor ever intended to declare, both Our Houses of Parliament

Parliament Traitors, or set up Our Standard against them, and much less to put them and this Kingdom out of Our Protection: We utterly profess against it before God and the World. And further to remove all possible Scruples which may hinder the Treaty so much desired by Us; We hereby promise, so that a day be appointed by you for the revoking of your Declarations against all Persons as Traitors or otherwise for assisting of Us, We shall with all cheerfulness upon the same day recall Our Proclamations and Declarations, and take down Our Standard: In which Treaty We shall be ready to grant any thing that shall be really for the good of Our Subjects. Conjuring you to consider the bleeding condition of Ireland, and the dangerous condition of England, in as high a degree as by these Our Offers We have declared Our Self to do: and assuring you that Our chief desire in this world is to beget a good understanding and mutual confidence betwixt Us and Our two Houses of Parliament.

This Message produced an Answer little differing from the former: like men who had no other measure of the Justice of their Cause then their Power to oppress Us, forgetting their own Duties, they sharply inform Us of Ours in these words;

May it please Your Majesty,

IF we the Lords and Commons in Parliament assembled should repeat all the wayes we have taken, the endeavours we have used, and the expressions we have made unto Your Majestie to prevent those Distractions and Dangers Your Majesty speaks of likely to fall upon this Kingdom, we should too much enlarge this Reply. Therefore as we humbly, so shall we onely let Your Majesty know, that we cannot recede from our former Answer for the reasons therein expressed; for that Your Majesty hath not taken down Your Standard, recalled Your Proclamations and Declarations, whereby You have declared the Actions of both Houses of Parliament to be Treasonable, and their Persons Traitors. And You have published the same since Your Message of the 25th of August by Your late Instructions sent to Your Commissioners of Array. Which Standard being taken down, and the Declarations, Proclamations and Instructions recalled, if Your Majesty shall then upon this our humble Petition, leaving Your Forces, return unto Your Parliament, and receive their faithful Advice, Your Majesty will find such expressions of our Fidelities and Duties as shall assure You that Your Safety, Honour and Greatness can onely be found in the affections of Your People, and the sincere Counsels of Your Parliament, whose constant and undiscouraged Endeavours and Consultations have

The humble Answer and Petition of the Lords & Commons assembled in Parliament unto the Kings last Message.

have passed through Difficulties unheard-of, onely to secure Your Kingdoms from the violent Mischiefs and Dangers now ready to fall upon them, and every part of them, who deserve better of Your Majesty, and can never allow themselves" (representing likewise Your whole Kingdom) to be balanced with those Persons whose desperate Dispositions and Counsels prevaile still so to interrupt all our endeavours for the relieving of bleeding Ireland, as we may fear our labours and vast expences will be fruitless to that distressed Kingdom. As Your Presence is thus humbly desired by us; so is it in our hopes Your Majesty will in your reason believe, there is no other way then this to make Your Self happy and Your Kingdom safe.

John Brown Cler. Parliament.

Without any bitterness or reprehension of their neglect of Us and the publick Peace, to express Our deep sense of the Calamities at hand, We yet once more (hoping to awake them to a Christian tenderness towards the whole Kingdom) sent to them in these words;

WHo have taken most wayes, used most endeavours, and made most real expressions to prevent the present Distractions and Dangers, let all the World judge, as well by former Passages as by Our two last Messages, which have been so fruitless, that (though We have descended to desire and press it) not so much as a Treaty can be obtained, unless We would denude Our Self of all force to defend Us from a visible strength marching against Us, and admit those Persons as Traitours to Us, who, according to their Duty, their Oaths of Allegiance, and the Law, have appeared in defence of Us their King and Liege Lord (whom We are bound in Conscience and Honour to preserve) though We disclaimed all our Proclamations and Declarations, and the erecting of Our Standard as against Our Parliament. All We have now left in Our Power is to express the deep sense We have of the publick Misery of this Kingdom, in which is involved that of Our distressed Protestants of Ireland, and to apply Our Self to Our necessary Defence, wherein We wholly rely upon the Providence of God, the Justice of Our Cause, and the Affection of Our good People; so farre We are from putting them out of Our Protection. When you shall desire a Treaty of Us, We shall piously remember whose blood is to be spilt in this Quarrell, and chearfully embrace it. And as no other Reason induced Us to leave Our City of London, but that with Honour
and

and Safety We could not stay there, nor raise any Force but for the necessary defence of Our Person and the Law against Levies in opposition to both; so We shall suddenly and most willingly return to the one and disband the other, as soon as those causes shall be removed.

The God of Heaven direct you, and in mercy divert those Judgements which hang over this Nation, and so deal with Us and Our Posterity as We desire the Preservation and Advancement of the true Protestant Religion, the Lawes, and the Liberty of the Subject, the just Rights of Parliament, and the Peace of the Kingdom.

But as if all these gracious Messages had been the effects only of Our Weaknesse, and instances of Our want of Power to resist that torrent, they deal at last more plainly with Us, and after many sharp, causelesse and unjust Reproaches, they tell Us in plain English, that without putting Our Self absolutely into their hands, and deserting all Our own Force, and the Protection of all those who have faithfully appeared for Us according to their Duty, there would be no means of a Treaty; although Our extraordinary desire of Peace had prevailed with Us to offer to recall Our most just Declarations, and to take down Our Standard set up for Our necessary defence, so their unjustifiable Declarations might be likewise recalled. Their Answer follows in these words;

WE the Lords and Commons in Parliament assembled, do present this our humble Answer to Your Majesties Message of the 11th of this instant Moneth of September. When we consider the Oppressions, Rapines, Firing of houses, Murthers, (even at this time whilst Your Majesty propounds a Treaty) committed upon Your good Subjects by Your Souldiers, in the presence and by the Authority of their Commanders, being of the number of those whom Your Majesty holds Your self bound in Honour and Conscience to protect as Persons doing their Duties; We cannot think Your Majesty hath done all that in You lies to prevent or remove the present Distractions; nor so long as Your Majesty will admit no Peace, without securing the Authors and Instruments of these Mischiefs from the Justice of the Parliament, which yet shall be ever dispens'd with all requisite Moderation and distinction of Offences, although some of those Persons be such in whose Preservation Your Kingdome cannot be safe, nor the unquestionable Rights and Privileges of Parliament be maintain'd, without which the Power and Dignity thereof will

The humble Answer of the Lords and Commons assembled in Parliament unto His Majesties last Message.

will fall into contempt. We beseech Your Majesty therefore to consider Your Expressions, That God should deale with You and Your Posterity as Your Majesty desires the Preservation of the just Rights of Parliament; which being undeniable in the Trying of such as we have declared to be Delinquents, we shall believe Your Majesty, both towards Your self and Parliament, will not in this Privilege we are most sensible of deny us that which belongs unto the meanest Court of Justice in this Kingdom. Neither hath Your Majesty cause to complain that You are denied a Treaty, when we offer all that a Treaty can produce or Your Majesty expect, Security, Honour, Service, Obedience, Support, and all other effects of an Humble, Loyal and Faithful Subjection, and seek nothing but that our Religion, Liberty, Peace of the Kingdom, Safety of the Parliament may be secured from the open Violence and cunning Practices of a wicked party, who have long plotted our ruine and destruction. And if there were any Cause of Treaty, we know no competent Persons to Treat betwixt the King and Parliament; and if both Cause and Persons were such as to invite Treaty, the Season is altogether unfit, whilst Your Majesties Standard is up, and Your Proclamations and Declarations unrecalled, whereby Your Parliament is charged with Treason.

If Your Majesty shall persist to make Your self a shield and defence to those Instruments, and shall continue to reject Our faithful and necessary Advice for securing and maintaining Religion and Liberty, with the Peace of the Kingdom and Safety of the Parliament, we doubt not but to indifferent judgements it will easily appear who is most tender of that Innocent Blood which is like to be spilt in this Cause; Your Majesty, who by such persisting doth endanger Your self and Your Kingdoms, or we, who are willing to hazard our selves to preserve both.

We humbly beseech Your Majesty to consider how impossible it is that any Protestation, though published in Your Majesties name, of Your tendernesse of the Miseries of Your Protestant Subjects in Ireland, of Your Resolution to maintain the Protestant Religion and Laws of this Kingdom, can give satisfaction to reasonable and indifferent men, when at the same time diverse of the Irish Traitors and Rebels, the known Favourers of them and Agents for them, are admitted to Your Majesties presence with Grace and Favour, and some of them employed in Your service; when the Cloaths, Munition, Horses, and other Necessaries bought by Your Parliament, and sent for the supply of the Army against the Rebels there, are violently taken away, some by Your Majesties Command, others by Your Ministers, and applied to the maintenance of an unnatural War against Your People here.

All this notwithstanding, as we never gave Your Majesty any just cause of withdrawing Your self from Your great Council, so it hath ever been and shall ever

be farre from us to give any impediment to Your Return, or to neglect any proper means of curing the Distempers of the Kingdom, and closing the dangerous Breaches betwixt Your Majesty and Your Parliament, according to the great Trust which lies upon us : and if Your Majesty shall now be pleased to come back to Your Parliament without Your Forces, we shall be ready to secure Your Royal Person, Your Crown and Dignity, with our Lives and Fortunes ; Your Presence in this Your great Council being the only means of any Treaty betwixt Your Majesty and them with hope of Successe.

And in none of our Desires to Your Majesty shall we be swaied by any particular mans advantage, but shall give a clear Testimony to Your Majesty and the whole World, that in all things done by us we faithfully intend the good of Your Majesty and of Your Kingdoms, and that we will not be diverted from this End by any private or self-respects whatsoever.

Jo. Brown Cler. Parliament.

They will not believe We have done all that in Us lies to prevent and remove the present Distractions, because of the Oppressions, Rapines and the like committed upon Our good Subjects by Our Souldiers. Let them remember who have compelled Us, and against Our Soules desire forced Us to raise those Souldiers : and then if the Oppressions and Rapines were indeed such as are falsely pretended, Our poor Subjects who suffer under them will look on them, and only on them, as the Authors of all the Miseries they do or can undergoe. We confesse with grief of heart some Disorders have and many more may befall Our good People by Our Souldiers ; but We appeal to all those Counties through which We have passed, what care We have taken to prevent, and what Justice We daily inflict upon such Offendours : neither hath the least complaint been ever made to Us of Violences and Outrages which We have not to Our utmost Power repaired or punished ; however those false and treasonable Pamphlets are suffered, which accuse Us of giving Warrant for plundering of Houses. Our Mercy and Lenity is so well known to the contrary, that it is usually made an excuse by those who against their Consciences assise this Rebellion against Us, that they chuse rather to offend Us upon the confidence of Pardon, then provoke those Malignant Persons who without Charity or Compassion destroy all who concur not with them in Faction and Opinion. How far We are from

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Rapine and Oppression may appear by Our Lenity to the Persons and Estates of those who have not only exercised the *Militia* (the seed from whence this Rebellion against Us hath grown) but contributed Money and Plate to the maintenance of that Army which now endeavours to destroy Us; as of *Nottingham*, *Leicester*, and many other places through which We have passed, many of whom then were and now are in that Army: to let pass Our passing by *Chartly* (the House of the Earle of *Effex*) without other pressures then as if he were the General of Our own Army, and Our expresse Orders to restrain the liberty Our Souldiers would otherwise have used upon that Place and his Estate about it. How contrary the proceedings are of these great Assertors of the publick Liberties, appears fully by the sad instances they every day give in the plundering by publick Warrant the Houses of all such whose Duty, Conscience and Loyalty hath engaged them in Our Quarrel, which every good man ought to make his own; by their declaring all Persons to be out of the Protection of Parliament (and so exposing them to the Fury of their Souldiers) who will not assist this Rebellion against Us, their anointed King; by the daily Outrages committed in *Yorkshire*, when, contrary to the desire and agreement of that County (signed under the hands of both Parties) they will not suffer the Peace to be kept, but that the Distractions and Confusion may be universal over the whole Kingdome, direct their Governour of *Hull* to make War upon Our good Subjects in that County, and so continue the robbing and plundering the Houses of all such who concur not with them in this Rebellion; lastly, by the barbarous, Sacrilegious Inhumanity exercised by their Souldiers in Churches, as in *Canterbury*, *Worcester*, *Oxford*, and other Places, where they committed such unheard-of Outrages as *Jewes* and *Atheists* never practised before. God in his good time will make them examples of his Vengeance.

We never did nor ever shall desire to secure the Authors and Instruments of any mischiefs to the Kingdom from the Justice of Parliament: We desire all such Persons may be speedily brought to condign Punishment by that Rule which is, or ought to be, the Rule of all punishment, the known Law of the Land. If there have seemed to be any interruption in proceedings of this nature, it must be remembered how long Persons have been kept under general Accusations without Trial, though
 earnestly

earnestly desired; that the Members who were properly to judge such Accusations have by Violence been driven thence, or could not with Honour and Safety be present at such Debates; that notorious Delinquents by the known Laws were protected against Us from the Justice of the Kingdom, and such called Delinquents who, committing no Offence against any known Law, were so voted only for doing their Duties to Us: and then there will be no cause of complaint found against Us.

And for the Privileges of Parliament, We have said so much and upon such reasons, (which have never been answered but by bare positive Assertions) in Our several Declarations, that We may well and do still use the same expression, That We desire God may so deal with Us and Our Posterity, as We desire the preservation of the just Rights of Parliament; the violation whereof in truth by these desperate Persons is so clearly known to all men who understand the Privileges of Parliament, that their Rage and Malice hath not been greater to Our Person and Government, then to the Liberty, Privilege and very Being of Parliaments: witness their putting in, putting out, and suspending what Persons they please, as they like or dislike their Opinions; their bringing down the Tumults to assault the Members and awe the Parliament; their posting and prosecuting such Members of either House as concurred not with them in their Designs, and so driving them from thence for the safety of their Lives; their denying Us, against the known, established Law and the Constitution of the Kingdom, to have a Negative Voice, without which no Parliament can consist; their making close Committees, from whence the Members of the Houses are exempted, against the Liberty of Parliament; and lastly, resolving both Houses into a close Committee of Seventeen persons, who undertake and direct all the present Outrages and the managery of this Rebellion against Us, in the absence of four parts of five of both Houses, and without the privity of those who stay there, which is not only contrary, but destructive to Parliaments themselves. By these gross, unheard-of Invasions and Breaches of the Privileges of Parliament, (and without them they could not have done the other) they made way for their attempts upon the Law of

the Land, and the introduction of that unlimited Arbitrary Power which they have since exercised to the intolerable Damage and Confusion of the whole Kingdom. And We assure Our good Subjects, the vindication of these just Liberties and Privileges of Parliament, thus violated by these men, is not less the Argument of Our present Quarrel and Undertaking, then Our own Honour, Interest and Safety; those being no way so securely to be preserved, as by preserving Parliaments and their just Privileges. Neither is there any Protestation, to Our knowledge, published in Our name of Our tenderness of the Miseries of *Ireland*, and Our Resolution to maintain the Protestant Religion and Laws of this Kingdom, that is not the Protestation of Our Soul, and manifested in all Our Actions: and We hope that false Scandal, that divers of the *Irish* Traitors and Rebels, the known Favourers of them and Agents for them, are admitted to Our Presence with favour, and imployed in Our Service, will gain no credit with good men, who remember well the notorious imputation so confidently & groundlessly heretofore cast on Us by Mr *Pym*, of which as there could never be the least Proof, so We could never receive any satisfaction for that high Injury, which might have been a warning to them to have published no more such Untruths, if they had not found that Truth and their Ends cannot meet together.

For the Horses taken for Our Service, which were provided for the Service of *Ireland*, 'tis true, We were compelled for the bringing Our own Waggon from *Chester* for the Carriage of Our Munition to make use of them, being few in number and of small value, after they were certified to be of no use for the Service for which they were provided. And for the Clothes, upon enquiry We finde that some few were taken by Our Souldiers (but without any Order from Us) going to *Coventry*, and as was probably believed for the relief of that place then in actual Rebellion against Us. But how farre We have been and are from diverting any of those Provisions made for the Relief of that poor Kingdom, (the thought of whose miserable Condition makes Our heart bleed) may appear by Our express Command given for the speedy transportation of 3000. Suits of Clothes which We found provided at *Chester*, but neglected to be sent, and which no necessity of Our own Army here could prevail with Us to seize. And how bold soever the Reproaches of that kind
have

have been upon Us, We are confident Malice it self cannot lay the least probable imputation upon Us for the neglect of Our Duty towards that Kingdom. What one thing in Our power have We neglected or omitted which might contribute to the assistance or ease of Our poor Protestant Subjects there? We first recommended the care of that business to both Our Houses of Parliament: We consented to all Propositions made on the behalf, offered to raise 10000. Voluntiers, (which if then accepted, had shortned that Work,) offered to venture Our own Person in the Service; (what interpretation that Offer of Ours found is known to all the world) We parted with Our Interest in the Land of the Rebels, to encourage such who were willing to adventure in that business, and when Money is raised by Our Consent for that sole purpose, they have at once seized on a hundred thousand pound particularly appointed by Act of Parliament for the relief of *Ireland* (Our Army being ready to perish for want of it) and imployed it to maintain this unnatural Civil Warre at home. They have levied men and entertained Commanders for that Service, and then compelled them to joyn in this Rebellion, and to march against Us. And though they have complained of Our keeping the Lieutenant of *Ireland* some weeks with Us, (when in truth it was a season of extraordinary business,) after We had in vain for many months pressed his dispatch, yet themselves now detain him, when his going is so necessary for the Preservation of that Kingdom. And no doubt these men (and these alone) by begetting this miserable Distraction of *England*, are guilty before God and Man of all the insupportable Calamities that Our Kingdom of *Ireland* endures. Let all the world judge where the desire of Peace is, and upon whose account the Blood and Confusion which hath been shed and must follow shall be cast, and whether the several Proclamations and Declarations published by Us have not been extorted from Us by such unheard-of Insolencies and Injuries which no former times ever produced. Neither can any sober man wonder, when We are publicly reproached, traduced and reviled to Our People (a practice never known till this Parliament) that We endeavour by a true Relation and Declaration of Our Actions and Intentions, and of their Conspiracies who have vowed Our Destruction, to inform Our good

Subjects of the Cunning and Malice they are to encounter with; and when a Combination is entred into to destroy Us, and to alter the Religion and Law of the Kingdom, and to that purpose an Army raised and marching against Us, that We proclaim the General of that Army, and such who shall assift him in levying a Warre against Us, to be *Traitours*, and have set up Our Royal Standard, and required all Our good Subjects to come to Our defence. And yet both in that Proclamation and in all Our Declarations We have never accused Our Parliament, but such factious, seditious Members of both Houses whom We have named, and whom We are ready to prove according to the Rules of the known Law to be guilty of High Treason. We well know, and all the Kingdome knows, that of near 500. Members which the House of Commons contains, there remains not now there 100. neither hath above such a number consented almost to any thing of which We have ever complained; the rest have either been driven away by Tumults and Threats of the Persons whom We have accused, or out of Conscience withdrawn themselves from their desperate Consultations: and of about 100. Peers of the Realm, there are not above 15. or 16. who concur in these miserable Resolutions which disturb the publick Peace; many of which being of desperate fortunes, have no other support then the Commands now given them to make Warre upon Us: and now these men must sit upon the Lives and Fortunes of all the Nobility, Gentry and Commons of *England*; and because We will not put Our Self into the hands, Government & disposal of them, all Our good Subjects are invited and encouraged to Rebell against Us. Yet We have been, and are still, farre from accusing all that small number of both Houses who are yet left together. We believe many of them are misled by the Cunning and Malice, and frighted by the Power of those men whom We have accused; against every one of whom We have evidence of matter of Fact, that the known Law of the Land determines to be High Treason.

And now that all Our good Subjects may see how desirous these men and their Adherents are to prevent the effusion of blood and the lasting Miseries of a Civil Warre, they will make themselves so considerable, that except We will recal Our Proclamations and Declarations

rations whereby those Persons particularly named, for particular Actions, (which the Law hath defined to be Treason) are so accused, and others warned from involving themselves in their Guilt, and except We will take down Our *Standard*, that Our good Subjects may not repair to Us for Our Defence, when so many Armies are raised against Us in several parts of the Kingdom, and ready to destroy Us, and such of Our good Subjects who dare continue loyal to Us, and except We will return to *London*, from whence with Violence We have been driven, We must not be treated with, or receive any Answer to so gracious a Message.

It can no longer be doubted by any man who hath not wilfully forsaken his Understanding, that it is no more a Quarrel undertaken by the Parliament, but contrived and fomented by the persons We have named, and now continued solely in their defence, to whose Ambition, Faction and Malice, the true Reformed Protestant Religion, the just Right, Honour, Safety and Life of Us and Our Posterity, the Law of the Land, which hath so long preserved this Nation Happy, the Liberty of the Subject established by that Law, and the glorious Frame and Constitution of this Kingdom, must be sacrificed. But as We have hitherto left no Action unperformed which in Honour, Justice and Conscience We were obliged to doe, or in Christian Policy and Prudence We could conceive might probably prevent these Calamities; so We thank God he hath given Us a full Courage and Resolution to run the utmost hazard of Our Life for the suppression of this Horrible Rebellion, in the which no disproportion of Power, Arms or Money shall discourage Us. And We hope that all Our good Subjects besides, by the common Duty of Allegiance, will be stirred up for their own sakes, for the preservation of the blessed Protestant Religion, and for the upholding this whole admirable Frame of Government, which being dissolved, all their private and particular Rights and Interests must be immediately confounded, to bring in their utmost power and Assistance unto Us in this desperate Exigent. And We do declare, that whosoever shall lose his life in this Service for Our defence, the Wardship of his Heir shall be granted by Us without Rent or Fine to his own use; and We shall hold Our Self obliged to take all possible care for the support, relief and protection of all their

Wives and Children, who shall have the hard fortune to dy in this Service.

CHARLES R.

Our expresse pleasure is, That this Our Declaration be published in all Churches and Chappels within the Kingdom of *England* and Dominion of *Wales*, by the Parsons, Vicars, or Curates of the same.

His MAJESTIES Declaration to all His loving Subjects, after His late Victory against the Rebels on Sunday the 23. of October.

MDCXLII.

AS We must wholly attribute the Preservation of Us and Our Children in the late bloody Battell with the Rebels to the Mercy and Goodness of Almighty God, who best knowing the Justice of Our Cause, and the Uprightness of Our Heart to his Service, and to the good and welfare of Our People, would not suffer Us and this whole Kingdom to be made a Prey to those desperate Persons: so We hold it Our Duty still to use all possible means to remove that Jealousie and Misunderstanding from Our good Subjects, which by the Industry and Subtilty of that Malignant Party (which hath brought this Mischief and Confusion upon the Kingdom) hath been infused into them; and to that purpose (though even those Scandals are sufficiently answered by many of Our Declarations and Messages, and by Our late Protestation made in the head of Our Army, which We shall alwaies by the help of God stedfastly and solemnly observe) We shall take notice of those subtile Insinuations by which at this present (according to that observation We can make, and Information We can receive) they endeavour to poison the hearts and corrupt the Allegiance of such of Our good Subjects who cannot so clearly discern their Malice and Impostures: First, by urging and pressing that false groundless Imputation of Our favouring Popery, and Our imploying many of that Religion now in Our Army; secondly, by seducing Our good People to believe that
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this Army raised and kept for Our necessary Defence (and without which , in all probability, the Malice of these men had before this taken Our Life from Us) is to fight against and subdue the Parliament , to take away the Privileges thereof , and thereby to root out Parliaments. If either of which were true, We should not have the courage with an Army much greater then Ours to hope for success.

For the First, for Our Affection to that Religion, Our continual Practice, Our constant Profession and several Protestations will satisfy all the World, against which Malice and Treason it self cannot finde the least probable Objection: We wish from Our heart the zeal and affection of these men to the true Protestant Religion were as apparent as Ours. For the imploying men of that Religion in Our present Service in the Army ; whosoever considers the hardness and streights the Malice and Fury of these men have driven Us to, their stopping all passages and waies that neither men nor money might come to Us, their declaring all such to be Traitors who shall assist Us, their entertaining men of all Countries, all Religions, to serve against Us, would not wonder if We had been very well contented to have received the service and assistance of any of Our good Subjects who had Loyalty enough (whatsoever their Religion is) to bring them to Our Succour. All men know the great number of Papists which serve in their Army, Commanders and others, the great Industry they have used to corrupt the Loyalty and Affection of all Our Subjects of that Religion, the private Promises and Undertakings they have made to them, that if they would assist them against Us, all the Laws made in their prejudice should be repealed: yet neither the weakness of Our own condition, nor the other Arts used against Us, could prevail with Us to invite those of that Religion to come to Our succour, or to recal Our Proclamation which forbade them to doe so. And We are confident (though We know of some few whose eminent Abilities in Command and Conduct, and moderate and unfactionous Dispositions, hath moved Us in this great Necessity to imploy them in this Service) that a farre greater number of that Religion is in the Army of the Rebels then in Our own. And We do assure Our good Subjects, though We shall alwaies remember the particular services which particular men have or shall

in this Exigent of Ours perform to Us with that Grace and Bounty which becomes a just Prince; yet We shall be so farre from ever giving the least countenance or encouragement to that Religion, that We shall alwayes use Our utmost endeavour to suppress it, by the execution of those good and wholesome Laws already in force against Papists, and concurring in such further Remedies as the care and wisdom of Us and both Houses of Parliament shall think most necessary for the Advancement of God's Service.

For the Second, of Our Intention to make Warre upon Our Parliament, and so to root out Parliaments; the Scandal is so senseless, when Our Accusation of a few particular Persons for particular Crimes notoriously committed, adjudged by the known Laws of the Land to be Treason, is evident, that no man can be moved with it, who doth not believe a douzen or twenty Factionous, Seditious Persons to be the High Court of Parliament, which consists of KING, Lords and Commons. And for the Privileges of it, whoever doth not believe that to raise an Army to murder and depose the King, to alter the whole frame of Government and established Laws of the Land by extemporary, extravagant Votes and Resolutions of either or both Houses, to force and compel the Members to submit to the Faction and Treason of a few, and to take away the Liberty and Freedom of consultation from them, be the Privileges of Parliament, must confess that the Army now raised by Us is no less for the Vindication and Preservation of Parliaments then for Our own necessary Defence. We have often said, and We still say, that We believe many Inconveniences have grown upon this Kingdom by the too long intermission of Parliaments, that Parliaments are the onely necessary sovereign Remedies of the growing Mischiefs which Time and Accidents have and will alwaies beget in this Kingdom, that without Parliaments the Happiness cannot be lasting to King or People; We have prepared for the frequent assembling of Parliaments, and will be alwaies as careful of their just Privileges as of Our Life, Honour or Interest: But that those Privileges should extend so farre as hath been lately declared, that it should not be lawful for Us to apprehend the Lord *Saint-John*, Captain *Wingate*, or Captain *Walton*, when they came to destroy Us, because they were Members of Parliament,

ment, without the consent of that House of which they were Members, is so ridiculous, that there need no more to be said in this Argument then the giving these instances. In a word, as whoever knows in what Danger Our Person was on Sunday the 23. of *October*, can never believe that the Army which gave Us Battel was raised for Our Defence and Preservation: so when they consider how much the Liberty of the Subject is invaded by their Rapine and Imprisoning, and that four parts at the least of five of the Members of both Houses are by Violence driven from being present in that Council; that the Book of Common-Prayer is rejected, and no countenance given but to *Anabaptists* and *Brownists*; they will easily find the pretences of care of the Protestant Religion, the Liberty of the Subject, and of the Privilege of Parliament, to be as vain and pretended, as those which referre to the Safety of Our Person and preservation of Our Posterity.

We cannot omit the great pains and endeavours these great pretenders to Peace and Charity have taken to raise an implacable Malice and Hatred between the Gentry and Commonalty of the Kingdome, by rendring all Persons of Honour, Courage and Reputation odious to the Common People, under the style of Cavaliers; insomuch as the High-waies and Villages have not been safe for Gentlemen to passe through without Violence or Affronts: and by infusing into them that there was an intention by the Commission of *Array* to take away a part of their Estates from them; a Scandal so senselesse and impossible, that the Contrivers of it well know that they might with equal Ingenuity have charged Us with a purpose of introducing *Turcisme* or *Judaisme* amongst them: and We hope when Our good Subjects have well weighed the continual practices of these men to reject all offers of Treaty, and to suppress Truth, and to mislead them by bold and monstrous Falsehoods, they will not think such arts and waies to lead to Peace and Unity. And We desire Our good Subjects of all Conditions to believe that We hold Our Self bound no lesse to defend and protect the meanest of Our People (who are born equally free, and to whom the Law of the Land is an equal Inheritance) then the greatest Subject; and that as the Wealth and Strength of this Kingdome consists in the Number and Happinesse of Our People, which is made up of men of all Conditions,

ditions, so We shall, to the utmost of Our Power, endeavour without distinction to give every one of them that Justice and Protection which is due to them : and We do exhort them all to that charitable and brotherly Affection one towards another, that they may be reconciled in a just Duty and Loyalty to Us, which may enable Us for that Protection.

To conclude, We would have all the World know, that We shall never forget the Protestations and Vowes We have made to Almighty God in Our several Declarations and Messages to both Our Houses of Parliament. And We are too much a Christian to believe that We can break those Promises, and avoid the Justice of Heaven.

CHARLES R.

Our express pleasure is, That this Our Declaration be published in all Churches and Chappels within the Kingdom of *England* and Dominion of *Wales*, by the Parsons, Vicars, or Curates of the same.

DECLA-

DECLARATIONS
AND
P A P E R S
CONCERNING THE TREATY
OF P E A C E
A T O X F O R D.

M DC XLII. III.

DECLARATION

OF

INDEPENDENCE

OF THE UNITED STATES

OF AMERICA

1776

His MAJESTIES Declaration to all His loving Subjects, of His true Intentions in advancing lately to Brainceford. MDCXLII.
Novemb.

THough Our Reputation be most dear to Us, and especially in those cases wherein the truth of Our most solemn Professions (and by consequence of Our Christianity) is questioned; yet it is not onely for the Vindication of that, and to clear Our self from such Aspersions, but withall to preserve Our Subjects in their just Esteem of and Duty to Us, and from being engaged into Crimes and Dangers by those malicious Reports, so spitefully framed and cunningly spread against Us concerning Our late advancing to *Brainceford*, that We have resolved to publish this Our following Declaration.

AT *Colebrook*, on Friday the 11. of *November*, We received a Petition from both Our Houses of Parliament, by the Earl of *Northumberland*, the Earl of *Pembroke* and *Montgomery*, the Lord *Wenman*, Master *Pierrepoint* and Sir *John Hippesty* : And indeed We were well pleased to see it so much liker a Petition then the other Papers We had often of late received under that name, and return'd to it the next day so gracious an Answer, that We assure Our selves could not but be very satisfactory to all that were truly lovers of Peace. The Copies of both do here follow.

*To the KINGS most Excellent MAJESTIE,
The humble Petition of the Lords and Commons now assembled
in Parliament.*

WE Your Majesties most loyall Subjects, the Lords and Commons in Parliament assembled, being affected with a deep and piercing sense of the Miseries of this Kingdom, and of the Dangers to Your Majesties Person, as the present Affairs now stand, and much quickned therein with the sad consideration of the great effusion of Blood at the late Battell, and of the loss of so many eminent Persons; and further weighing the addition

His MAJESTIES Declaration

of Loss, Misery and Danger to Your Majesty and Your Kingdom, which must ensue if both Armies should again joyn in another Battell, as without God's especial Blessing, and Your Majesties Concurrence with Your Houses of Parliament, will not probably be avoided.

We cannot but believe that a suitable Impression of Tenderneß and Compassion is wrought in Your Majesties Royal Heart, being Your Self an eye-witness of the bloody and sorrowful destruction of so many of Your Subjects; and that Your Majestie doth apprehend what diminution of Your own Power and Greatneß will follow, and that all Your Kingdoms will thereby be so weakened as to become subject to the Attempts of any ill-affected to this State. In all which respects, we assure our selves that Your Majestie will be inclined graciously to accept this our humble Petition, that the Misery and Desolation of this Kingdom may be speedily removed and prevented. For the effecting whereof we most humbly beseech Your Majesty to appoint some convenient place, not farre from the City of London, where Your Majesty will be pleased to reside, untill Committees of both Houses of Parliament may attend Your Majesty with some Propositions for the removal of these bloody Distempers and Distractions, and settling the state of the Kingdom in such a manner as may conduce to the Preservation of God's true Religion, Your Majesties Honour, Safety and Prosperity, and to the Peace, Comfort and Security of all your People.

His MAJESTIES Answer to the afore- said Petition.

WE take God to witness how deeply We are affected with the Miseries of this Kingdom, which heretofore We have stroven as much as in Us lay to prevent, it being sufficiently known to all the World, that as We were not the first that took up Arms, so We have shewed Our readines of Composing all things in a fair way by Our several Offers of Treaty, and shall be glad now at length to finde any such Inclinations in others; the same Tenderneß to avoid the Destruction of Our Subjects (whom We know to be Our greatest Strength) which would alwaies make Our greatest Victories bitter to Us, shall make Us willingly hearken to such Propositions whereby these bloody Distempers may be stopped, and the great Distractions of this Kingdom settled to God's Glory, Our Honour, and the Welfare and flourishing of Our People; and to that end shall reside at Our own Castle at Windsor (if the Forces there shall be removed) till Committees may have time to attend Us with
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the same (which, to prevent the Inconveniences that will intervene, We wish may be hastened) and shall be ready there, or (if that be refused Us) at any place where We shall be, to receive such Propositions as aforesaid from both Our Houses of Parliament. Doe you your Duty, We will not be wanting to Ours: God of his mercy give a Blessing.

But the same night after the Messengers were gone, certain Information was brought unto Us, that the same day the Earl of *Essex* had drawn his Forces with great store of Ordnance out of *London* towards Us: upon which a Councel of Warre being present, and We having there considered, upon debate, Our present Condition, That being already almost surrounded by his Forces, some at *Windsor*, some at *Kingston*, and some at *Acton*, if We suffered the Remainder to possess *Brainceford*, We should be totally hemm'd in, and Our Army deprived of all convenience of either moving or subsisting; yet how necessary soever it appeared, We could not obtain Our own Consent to advance towards *Brainceford*, and either prepossess it, or dispossess them of it, till We had satisfied Our Selves that it was as lawful as necessary, and fully weighed all that not only Reason, but Malice it self (which We knew to be very watchful upon Our Actions) could object against it. We considered first, that it could not reasonably be esteemed an Aversion from Peace, and an Intention to interrupt the Treaty then in expectation; since on the other side We had cause to believe by the former rejection of Our offers of Treaty, when We were supposed to be in no condition of strength, that if We would not thus preserve Our Selves from being so encompass'd as to come into their Powers, the very possibility of a Treaty would immediately vanish. We considered next, that much less could it be interpreted any breach of Faith, since willingness to receive Propositions of Treaty was never held to amount to a suspension of Arms; since otherwise We must (because mention of a Treaty had been once made) by the same Logick have been bound not to hinder them to encompass Us on all parts to *Colebrook Towns-end*; since no word to that purpose (of any suspension) was in Our Answer; nay, since in that (by wishing their Propositions might be hastned, to prevent the Inconveniences which would intervene) We implied,

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that by this Arms were not suspended; and since their own Votes of proceeding vigorously notwithstanding the Petition, and their own actions in sending after their Messengers great store of Forces with Ordnance so near to Us (having before girt Us in on all other parts, and sent men and Ordnance to Kingston after the safe Conduct asked of Us) implied the same.

Being resolved upon these Reasons, that this Advancing was necessary and just, We were not yet satisfied, till We had endeavoured the same day (though the interruptions of shooting stopt the way till the next) to satisfy Our Parliament and People of the same, and that Peace was still Our desire. We to that end directed a Message by *John White Esquire*, which was so received, that his danger of being put to death for bringing it, and the Imprisonment of him and the Trumpeter that went with him in the Gate-house, shew'd that the Law of Nations was by some no more considered then all other Laws had been before. A Copy of which Message hereafter follows, to shew how little temptation the matter of that gave them for such an usage.

His MAJESTIES Message of the twelfth of November.

WHereas the last night, being the eleventh of November, after the departure of the Committee of both Our Houses with Our gracious Answer to their Petition, We received certain Information (having till then heard nothing of it, either from the Houses Committee or otherwise) That the Lord of Essex had drawn his Forces out of London towards Us, which hath necessitated Our sudden Resolution to march with Our Forces to Braine-ford; We have thought hereby fit to signify to both Our Houses of Parliament, That We are no less desirous of the Peace of the Kingdom then We exprest in Our aforesaid Answer, the Propositions for which We shall willingly receive where-ever We are, and desire (if it may be) to receive them at Braine-ford this night, or early to morrow morning, that all possible speed may be made in so good a Work, and all Inconveniences otherwise likely to intervene may be avoided.

And to justify yet further that Our Intention was no other then was here profest, as soon as We were informed that the Earl of Essex
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his Forces were departed from *Kingston*, before any appearance or notice of further Forces from *London* (Our end of not being inclosed being obtained) We gave orders to quit *Brainceford*, and to march away, and possess that place.

We cannot but make one Argument more of the truth of Our Profession, that this was all Our end, and that We had not the least thought by so advancing to surprise and sack *London* (which the Malignant party would infuse into that Our City ;) and that is, That probably God Almighty would not have given such a Blessing to Our Journey, as to have assisted Us so both by Land and Water, as with less then a third part of Our Foot, and with the loss but of ten men, to beat two of their best Regiments out of both *Braincefords*, for all the great advantage of their Works in them, to kill him who commanded in chief, and kill and drown many others, to take five hundred Prisoners, more Arms, eleven Colours, and good store of Ammunition, fifteen Pieces of Ordnance (whereof We sunk most that We brought not away) and then unfought with, and unoffer'd at, nearer then by Ordnance, to march away, notwithstanding the great disadvantage of Our Forces by the difficulties of the Passages, if He, who is the Searcher of all Hearts, and Truth it self, had not known the truth of Our Professions, and the Innocence of Our Heart, and how farre We were from deserving those horrid Accusations of Falshood and Treachery cast so point-blank upon Our own Person, that it would amaze any man to see them suffered to be printed in Our City of *London*, if any thing of that kind could be a wonder after so many of the same, and how really they desire Accommodation, who have upon this Voted they will have none.

These Our Reasons for this Action, this Our satisfaction sent for it, and this Blessing of God's upon it, will (We doubt not) clear Us to all indifferent persons both of the Jesuitical Counsels and the Personal Treachery to which some have presumed so impudently to impute it : And God so bless Our future Actions as We have delivered the truth of this.

*The Answer of both Houses of Parliament to His Majesties Message
of the 12. of November.*

With his Majesties Reply thereunto.

*The Answer of both Houses of Parliament to His Majesties Message
of the 12. of November.*

TO Your Majesties Message of the 12. of this Month of *November*, we the Lords and Commons in Parliament do make this humble Answer, That this Message was not delivered to us till Monday the 14. We thought it a strange Introduction to Peace, that Your Majesty should send Your Army to beat us out of our Quarters at *Brainceford*, and then appoint that place to receive our Propositions; which yet it plainly appears Your Majesty intended not to receive, till You had first tried whether You could break through the Army raised for Defence of this Kingdom and Parliament, and take the City being unprovided, and secure in expectation of a fair Treaty made to secure the City. If herein Your Majesty had prevailed, after You had destroyed the Army and mastered the City, it is easy to imagine what a miserable Peace we should have had: and whether those Courses be futable to the Expressions Your Majesty is pleased to make in Your Answer to our Petition, and of Your Earnestness to avoid any further Effusion of blood, let God and the world judge.

As for our Proceedings, they have in all things been answerable to our Professions: we gave directions to the Earl of *Essex* to draw the Army under his Command out of the City and Suburbs, before we sent any Message to Your Majesty; so that part of it was inquartered at *Brainceford* before the Committee returned with Your Answer: and immediately upon the receipt thereof, that very morning order was taken that the Souldiers should exercise no Act of Hostility against any of Your Majesties People. We sent a Letter by Sir *Peter Killegrew*, to know Your Majesties Pleasure, whether You intended the like forbearance of Hostility: but the fury of Your Souldiers, thirsting after blood and spoil, prevented the delivery of the Letter; for coming upon Saturday in his way towards Your Majesty as farre as *Brainceford*, he found them in fight there, and could pass no further. God, who sees our Innocency, and that we have no Aims but at his Glory and the publick Good, will (we hope) free Your Majesty from those destructive Counsels, who labour to maintain their own Power by blood and Rapine, and bless our Endeavours, who seek nothing but to procure and establish the Honour, Peace and Safety of Your Majesty and Kingdomes, upon the sure foundation of Religion and Justice.

*To the Answer of both Houses of Parliament to His Majesties
Message of the 12. of November,*

His MAJESTY makes this Reply.

MDCXLII.
Novemb. 12.

THat His Message of the twelfth, though not received by them till the fourteenth, was sent to them first upon the same day upon which it was dated, and meeting with stops by the way, was again sent upon the 13, and taken upon that day at ten in the morning by the Earl of *Effex*, and though not to him directed, was by him opened: so the slowness of the Delivery is not so strange as the stop of the Letter said to be sent by Sir *Peter Killegrew*, which His Majesty hath not yet received, but concludes from the matter expressed to have been contain'd in that Letter, (to wit, to know His Pleasure, whether He intended the forbearance of Hostility) and by the Command of such forbearance said to be sent to the Lord of *Effex* his Army, that no such forbearance was already concluded, and consequently neither had His Majesty cause to suppose that He should take any of their Forces unprovided, and secure in expectation of a fair Treaty, neither could any Hostile Act of His Majesties Forces have been a course unfutable to His Expressions; much less could an endeavour to prepossess (for so He hoped He might have done) that Place, which might have stopt the farther march of those Forces towards Him, (which, for ought appeared to Him, might as well have been intended to *Colebrook* as to *Brainceford*) and by that, the further effusion of blood, deserve that style.

His Majesty further conceives, that the Printing so out of time of such a Declaration as their *Reply* to His *Answer* to theirs of the 26. of *May*, but the day before they Voted the Delivery of their Petition, and the March of the Earl of *Effex* his Forces to *Brainceford* so near to His Majesty, when the Committee at the same time attended Him with a Petition for a Treaty, the Earl of *Effex* being before possess of all the Avenues to his Army, by his Forces at *Windsor*, *Acton* and *Kingston*, was a more strange Introduction to Peace, then for His Majestie not to suffer Himself to be coopt up on all sides, because a Treaty
had

had been mentioned, which was so really and so much desired by His Majesty, that this Proceeding seems to Him purposely by some intended to divert (which it could not doe) that His Inclination.

That His Majesty had no intention to master the City by so advancing, besides His Profession, which (how meanly soever they seem to value it) He conceives a sufficient Argument, (especially being onely opposed by suspicions and surmises) may appear by His not pursuing His Victory at *Brainceford*, but giving orders to His Army to march away to *Kingston* as soon as He heard that place was quitted, before any notice or appearance of farther Forces from *London*. Nor could He finde a better way to satisfie them before-hand that He had no such intention, but that His desire of Peace and of Propositions that might conduce to it still continued, then by that Message of the twelfth. For which care of His He was requited by such a reception of His Message and Messenger, as was contrary at once both to Duty, Civility, and the very Customs and Law of Warre and Nations, and such as theirs (though after this Provocation) hath not found from Him.

His Majesty wonders that His Souldiers should be charged with thirsting after *Blood*, who took above five hundred *Prisoners* in the very heat of the Fight, His Majesty having since dismissed all the common Souldiers, and entertain'd such as were willing to serve Him, and required only from the rest an Oath not to serve against Him: And His Majesty supposes such most apt and likely to maintain their Power by Blood and Rapine, who have only got it by Oppression and Injustice; That His is vested in Him by the Law, and by that only (if the destructive Counsels of others would not hinder such a Peace, in which that might once again be the Universal Rule, and in which Religion and Justice can onely flourish) He desires to maintain it. And if Peace were equally desired by them, as it is by His Majesty, He conceives it would have been proper to have sent Him such a Paper as should have contained just Propositions of Peace, and not an unjust Accusation of His Counsels, Proceedings and Person. And His Majesty intends to march to such a distance from His City of *London*, as may take away all Pretence of Apprehension from His Army,
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that might hinder them in all security from yet preparing them to present to Him; and there will be ready either to receive them, or to end the Pressures and Miseries which His Subjects to His great Grief suffer through this War, by a present Battel.

*The Humble Petition of Both Houses of Parliament presented
to His Majesty on the 24. of November.*

With His Majesties Gracious Answer thereunto.

To the Kings most Excellent Majesty,

The humble Petition of the Lords and Commons assembled in Parliament.

May it please Your Majesty,

IT is humbly desired by both Houses of Parliament, That Your Majesty will be pleased to return to Your Parliament with Your Royal, not Your Martial Attendance, to the end that Religion, Laws and Liberties may be settled and secured by their advice; finding by a late and sad accident, that Your Majesty is invironed by some such Counsels as do rather perswade a desperate Division, then a joyning and a good Agreement with Your Parliament and People. And we shall be ready to give Your Majesty assurances of such Security as may be for Your Honour, and the safety of Your Royal Person,

His MAJESTIES Answer to the aforesaid Petition.

WE expected such Propositions from you as might speedily remove and prevent the Misery and Desolation of this Kingdome, and that for the effecting thereof (We now residing at a convenient place not farre from Our City of London) Committees from both Our Houses of Parliament should attend Us (for you pretended by your Message to Us at Colebrook that those were your Desires:) in stead thereof (and thereby let all the World judge of the designe of that Overture) We have only received your humble Petition, *That We would be pleased to return to our Parliament with Our Royal, not our Martial Attendance.* All Our good Subjects that remember what We have so often told you and them upon this Subject, and what hath since past, must with Indignation look upon this Message, as intended by the Contrivers thereof for a Scorn to Us, and thereby designed by that Malignant party (of whom We have so often

often complained, whose Safety and Ambition is built upon the Divisions and Ruines of this Kingdome, and who have too great an Influence upon your Actions) for a Wall of Separation betwixt Us and Our People. We have told you the Reasons why We parted from *London*, how We were chased thence, and by whom: We have often complained that the greatest part of Our Peers, and of the Members of Our House of Commons, could not with safety to their Honours and Persons continue and Vote freely among you, but by violence and cunning practices were debarred of those Privileges which their Birth-rights and the Trust reposed in them by their Countries gave them; the truth whereof may sufficiently appear by the small number of those that are with you. We have offered you to meet both Our Houses in any place free and convenient for Us and them; but We never could receive the least satisfaction in any of these particulars, nor for those Scandalous and Seditious Pamphlets and Sermons which swarm amongst you. That's all one; you tell Us, it is now for Our Honour and the Safety of Our Royal Person, to return to Our Parliament: wherein your formerly denying Us a Negative Voice gives Us cause to believe, that by giving Your selves that Name without Us, you intend not to acknowledge Us to be part of it. The whole Kingdome knows that an Army was raised under pretence of Orders of both Houses (an Usurpation never heard of before in any Age) which Army hath pursued Us in Our own Kingdome, gave Us Battel at *Keynton*, and endeavoured to take away the life of Us and Our Children; and yet (these Rebels being newly recruited and possessed of Our City of *London*) We are courteously invited to return to Our Parliament there, that is, into the Power of this Army. Doth this signifie any other thing, then that since the traitourous endeavours of those desperate men could not snatch the Crown from Our Head, (it being defended by the Providence of God, and the Affections and Loyalty of Our good Subjects) We should now tamely come up and give it them, and put Our Selves, Our Life, and the lives, liberties and fortunes of all Our good Subjects, into their merciful hands? Well, We think not fit to give any other Answer to this part of your Petition. But as We impute not this Affront to both Our Houses of Parliament, nor to the major part of those that are now present there, but to that dangerous

gerous Party We and the whole Kingdome must cry out upon; so We shall for Our good Subjects sake, and out of Our most tender sense of their Miseries and the general Calamities of this Kingdome, which must (if this Warre continue) speedily overwhelm this whole Nation, take no Advantage of it: But if you shall really pursue what you presented to Us at *Colebrook*, We shall make good all that We then gave you in Answer to it; whereby the hearts of Our distressed Subjects may be raised with the Hopes of Peace, without which, Religion, the Lawes and Liberties can no waies be settled and secured.

Touching the late and sad Accident you mention, if you thereby intend that of *Brainceford*, We desire you once to deale ingenuously with the People, and to let them see Our last Message to you, and Our Declaration to them concerning the same, (both which We sent to Our Presse at *London*, but were taken away from Our Messenger, and not suffered to be published) and then We doubt not but they will be soon undeceived, and easily find out those Counsels which do rather perswade a desperate Division then a good Agreement betwixt Us, Our two Houses, and People.

The Proceedings in the late Treaty of Peace.

MDCXLII III.

Together with several Letters of His MAJESTIE to the QUEEN, and of Prince Rupert to the Earle of Northampton, which were intercepted and brought up to the Parliament.

With a Declaration of the Lords and Commons upon those Proceedings and Letters.

The humble Desires and Propositions of the Lords and Commons in Parliament assembled, tendred unto His Majestie, Feb. 1. 1642.

WE Your Majesties most humble and faithfull Subjects, the Lords and Commons in Parliament assembled, having in our thoughts the Glory of God, Your Majesties Honour, and the Prosperity of Your People, and being most grievously afflicted with the pressing Miseries and Calamities which have overwhelmed Your two Kingdomes of *England* and *Ireland*, since Your Majesty hath, by the perswasion of evil Counsellors, withdrawn Your Self from the Parliament, raised an Army against it, and by force thereof protected Delinquents from the Justice of it, constraining us to take Armes for the defence of our Religion, Laws, Liberties, Privileges of Parliament, and for the sitting of the Parliament in safety; which Fears and Dangers are continued and increased by the raising, drawing together and arming of great numbers of Papists under the command of the Earle of *Newcastle*,
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likewise by making the Lord *Herbert* of *Ragland* and other known Papists Commanders of great Forces, whereby many grievous Oppressions, Rapines and Cruelties have been and are daily exercised upon the persons and estates of Your People, much innocent blood hath been spilt, and the Papists have attained means of attempting, and hopes of effecting, their mischievous Designe of rooting out the Reformed Religion, and destroying the professors thereof: in the tender sense and compassion of these evils under which Your People and Kingdome lie (according to the duty which we owe to God, Your Majesty, and the Kingdom, for which we are intrusted) do most earnestly desire, that an end may be put to these great Distempers and Distractions, for the preventing of that Desolation which doth threaten all Your Majesties Dominions. And as we have rendred, and still are ready to render, to Your Majesty that Subjection, Obedience and Service which we owe unto You; so we most humbly beseech Your Majesty to remove the Cause of this War, and to vouchsafe us that Peace and Protection which we and our Ancestors have formerly enjoyed under Your Majesty and Your Royal Predecessors, and graciously to accept and grant these most humble Desires and Propositions.

I. That Your Majesty will be pleased to disband Your Armies, as we likewise shall be ready to disband all those Forces which we have raised; and that You will be pleased to return to Your Parliament.

II. That You will leave Delinquents to a Legal Trial, and Judgement of Parliament.

III. That the Papists may not only be disbanded, but disarmed according to Law.

IV. That Your Majesty will be pleased to give Your Royal Assent unto the Bill for taking away Superstitious Innovations; to the Bill for the utter abolishing and taking away of all Archbishops, Bishops, their Chancellors and Commissaries, Deans, Subdeans, Deans and Chapters, Archdeacons, Canons and Prebendaries, and all Chanters, Chancellors, Treasurers, Subtreasurers, Succentors and Sacrists, and all Vicars Choral and Choristers, old Vicars and new Vicars of any Cathedral or Collegiate Church, and all other their under-Officers, out of the Church of *England*; to the Bill against Scandalous Ministers; to the Bill against Pluralities; and to the Bill for Consultation to be had with godly, religious and learned Divines: That Your Majesty will be pleased to promise to passe such other good Bills for settling of Church-Government, as upon consultation with the Assembly of the said Divines shall be resolved on by both Houses of Parliament, and by them be presented to Your Majesty.

V. That Your Majesty having exprest, in Your Answer to the Nineteen Propositions of both Houses of Parliament, a hearty affection and Intentions for the rooting out of Poperie out of this Kingdome; and that if both the Houses of Parliament can yet finde a more effectual course to disable Jesuites, Priests and Popish Recusants from disturbing the State or eluding the Laws, that You would willingly give Your Consent unto it; That You would be graciously pleased, for the better discovery and speedier conviction of Recusants, that an Oath may be established by Act of Parliament, to be administered in such manner as by both Houses shall be agreed on, wherein they shall abjure and renounce the Popes Supremacy, the doctrine of Transubstantiation, Purgatory, worshipping of the consecrated Host, Crucifixes and Images; and the refusing the said Oath, being tendred in such manner as shall be appointed by Act of Parliament, shall be a sufficient Conviction in Law of Recusancie: And that Your Majesty will be graciously pleased to give Your Royal Assent unto a Bill for the Education of the children of Papists by Protestants in the Protestant Religion: That for the more effectual execution of the Laws against Popish Recusants, Your Majesty would be pleased to consent to a Bill for the true levying of the Penalties against them, and that the same Penaltie may be levied and disposed of in such manner as both Houses of Parliament shall agree on, so as Your Majesty be at no loss; and likewise to a Bill whereby the practice of Papists against the State may be prevented, and the Laws against them duly executed.

VI. That the Earle of *Bristol* may be removed from Your Majesties Counsels; and that both he and the Lord *Herbert*, eldest Son to the Earle of *Worcester*, may likewise

likewise be restrained from coming within the verge of the Court, and that they may not bear any Office, or have any employments concerning the State or Commonwealth.

VII. That Your Majesty will be graciously pleased by Act of Parliament to settle the *Militia* both by Sea and Land, and for the Forts and Ports of the Kingdom, in such a manner as shall be agreed on by both Houses.

VIII. That Your Majesty will be pleased by Your Letters Patents to make Sir *John Brampton* chief Justice of Your Court of Kings Bench, *William Lenthall* Esquire, the now Speaker of the Commons House, Master of the Rolls, and to continue the Lord chief Justice *Banks* chief Justice of the Court of Common Pleas, and likewise to make Master Serjeant *Wilde* chief Baron of Your Court of Exchequer; and that Master Justice *Bacon* may be continued, and Master Serjeant *Rolls* and Master Serjeant *Atkins* made Justices of the Kings Bench; that Master Justice *Reeves* and Master Justice *Foster* may be continued, and Master Serjeant *Phesant* made one of Your Justices of Your Court of Common Pleas; that Master Serjeant *Creswell*, Master *Samuel Brown* and Master *John Puleston*, may be Barons of the Exchequer; and that all these, and all the Judges of the same Courts for the time to come, may hold their places by Letters Patents under the great Seal, *quamdiu se benegerint*; and that the several persons not before named, that do hold any of these places before mentioned, may be removed.

IX. That all such persons as have been put out of the Commissions of Peace, or Oyer and Terminer, or from being *Custodes Rotulorum*, since the first day of *April* 1642. (other then such as were put out by desire of both or either of the Houses of Parliament) may again be put into those Commissions and Offices; and that such persons may be put out of those Commissions and Offices as shall be excepted against by both Houses of Parliament.

X. That Your Majesty will be pleased to pass the Bill now presented to Your Majesty, to vindicate and secure the Privileges of Parliament from the ill consequence of the late Precedent in the Charge and Proceeding against the Lord *Kimbolton*, now Earl of *Manchester*, and the five Members of the House of Commons.

XI. That Your Majesties Royal Assent may be given unto such Acts as shall be advised by both Houses of Parliament, for the satisfying and paying the Debts and Damages wherein the two Houses of Parliament have engaged the Publick Faith of the Kingdom.

XII. That Your Majesty will be pleased, according to a Gracious Answer heretofore received from You, to enter into a more strict Alliance with the States of the United Provinces, and other Neighbour Princes and States of the Protestant Religion, for the defence and maintenance thereof against all designs and attempts of the Popish and Jesuitical Faction to subvert and suppress it; whereby Your Subjects may hope to be free from the mischiefs which this Kingdom hath endured through the power which some of that Party have had in Your Counsels, and will be much encouraged in a Parliamentary way for Your Aide and Assistance in restoring Your Royal Sister and the Prince Elector to those Dignities and Dominions which belong unto them, and relieving the other distressed Protestant Princes who have suffered in the same Cause.

XIII. That in the General Pardon, which Your Majesty hath been pleased to offer to Your Subjects, all Offences and Misdemeanours committed before the tenth of *January* 1641. which have been or shall be questioned or proceeded against in Parliament upon complaint in the House of Commons before the tenth of *January* 1643. shall be excepted; which Offences and Misdemeanours shall nevertheless be taken and adjudged to be fully discharged against all other inferiour Courts. That likewise there shall be an exception of all Offences committed by any person or persons which hath or have had any hand or practice in the Rebellion of *Ireland*, which hath or have given any counsel, assistance or encouragement to the Rebels there for the maintenance of that Rebellion; as likewise an exception of *William* Earl of *Newcastle* and *George* Lord *Digby*.

XIV. That Your Majesty will be pleased to restore such Members of either

House of Parliament to their several places of Services and Employment out of which they have been put since the beginning of this Parliament; that they may receive satisfaction and reparation for those places, and for the profits which they have lost by such removals, upon the Petition of both Houses of Parliament; and that all others may be restored to their Offices and Employments who have been put out of the same upon any displeasure conceived against them for any Assistance given to both Houses of Parliament, or obeying their Commands, or forbearing to leave their Attendance upon the Parliament without licence, or for any other occasion arising from these unhappy Differences betwixt Your Majesty and both Houses of Parliament, upon the like Petition of both Houses.

These things being granted and performed, as it hath always been our hearty Prayer, so shall we be enabled to make it our hopeful Endeavour, That Your Majesty and Your People may enjoy the blessings of Peace, Truth and Justice; the Royalty and Greatness of Your Throne may be supported by the Loyal and bountiful Affections of Your People; their Liberties and Privileges maintained by Your Majesties Protection and Justice; and this publick Honour and Happiness of Your Majesty and all Your Dominions communicated to other Churches and States of Your Alliance, and derived to Your Royal Posterity, and the future Generations in this Kingdom for ever.

H. Elsing Cler. Parl. D. Com.

*His MAJESTIES Answer to the Desires and Propositions
of both Houses, February the third, 1642.*

*Received at a Conference with the Lords, Fe-
bruary the sixth, 1642.*

IF His Majesty had not given up all the faculties of His Soul to an earnest endeavour of a Peace and Reconciliation with His People, or if He would suffer Himself by any Provocation to be drawn to a sharpness of Language at a time when there seems somewhat like an Overture of Accommodation, He could not but resent the heavy charges upon Him in the Preamble of these Propositions, and would not suffer Himself to be reproached with protecting of Delinquents by force from Justice, (His Majesties desire having alwaies been, that all men should be tried by the known Law, and having been refused it) with raising an Army against His Parliament, and to be told that Arms have been taken up against Him for the defence of Religion, Laws, Liberties, Privileges of Parliament, and for the sitting of the Parliament in safety, with many other Particulars in that Preamble so often and so fully answered by His Majesty, without remembering the world of the time and circum-

circumstances of raising those Arms against Him, when His Majesty was so far from being in a condition to invade other mens Rights, that He was not able to maintain and defend His own from violence ; and without telling His good Subjects that their Religion (the true Protestant Religion, in which His Majesty was born, hath faithfully lived, and to which He will dy a willing Sacrifice) their Laws, Liberties, Privileges and safety of Parliament were so amply settled and established, or offered to be so by His Majesty, before any Army was raised against Him, and long before any raised by Him for His defence ; that if nothing had been desired but that Peace and Protection which His Subjects and their Ancestors had in the best times enjoyed under His Majesty or His Royal Predecessors, this Misunderstanding and distance between His Majesty and His People, and this general Misery and Distraction upon the face of the whole Kingdom, had not been now the discourse of Christendom. But His Majesty will forbear any Expressions of Bitterness or of a sense of His own Sufferings, that, if it be possible, the memory thereof may be lost to the World. And therefore though many of the Propositions presented to His Majesty by both Houses appear to Him very derogatory from and destructive to His just Power and Prerogative, and no way beneficial to His Subjects, few of them being already due to them by the Laws established, (and how unparliamentary it is by Arms to require new Laws, all the World may judge :) yet (because these may be waved or mollified, and many things that are now dark or doubtful in them cleared and explained upon debate) His Majesty is pleased (such is His sense of the Miseries this Kingdom suffers by this unnatural War, and His earnest desire to remove them by a happy Peace) that a speedy time and place may be agreed upon for the meeting of such persons as His Majesty and both Houses shall appoint to discuss these Propositions, and such others here following as His Majesty doth propose to them.

I. That His Majesties own Revenue, Magazins, Towns, Forts and Ships, which have been taken or kept from Him by force, be forthwith restored unto Him.

II. That whatsoever hath been done or published contrary to the known Laws of the Land, or derogatory to His Majesties Legal and

known Power and Rights, be renounced and recalled, that no seed may remain for the like to spring out of for the future.

III. That whatsoever illegal power hath been claimed and exercised by or over His Subjects, as Imprisoning their Persons without Law, stopping their *Habeas Corpusses*, and imposing upon their Estates without Act of Parliament, &c. either by both or either House, or any Committee of both or either, or by any persons appointed by any of them, be disclaimed, and all such persons so committed forthwith discharged.

IV. That as His Majesty will readily consent (having done so heretofore to the execution of all Laws already made, and to any good Acts to be made, for the suppressing of Popery, and for the firm settling of the Protestant Religion now established by Law: so He desires that a good Bill may be framed for the better preserving of the Book of Common-Prayer from the scorn and violence of *Brownists*, *Anabaptists*, and other *Sectaries*, with such clauses for the ease of Tender Consciences as His Majesty hath formerly offered.

V. That all such persons as upon the Treaty shall be excepted out of the general Pardon shall be tried *per Pares*, according to the usual course and known Law of the Land, and that it be left to that either to acquit or condemn them.

VI. And to the intent this Treaty may not suffer interruption by any intervening Accidents, that a Cessation of Arms, and free Trade for all His Majesties Subjects, may be first agreed upon.

This Offer and Desire of His Majesty He hopes will be so chearfully entertained, that a speedy and blessed Peace may be accomplished. If it shall be rejected, or by insisting upon unreasonable Circumstances be made impossible (which He hopes God in his Mercy to this Nation will not suffer) the guilt of the Blood which will be shed, and the Desolation which must follow, will lie upon the heads of the Refusers. However His Majesty is resolved, through what accidents soever He shall be compelled to recover His Rights, and with what prosperous Successes soever it shall please God to bless Him, that by His earnest, constant endeavours to propagate and promote the true Protestant Religion, and by His Governing according to the known Laws of the Land, and upholding the Just Privileges of Parliament,

liament, according to His frequent Protestations made before Almighty God, which He will always inviolably observe, the World shall see that He hath undergone all these Difficulties and Hazards for the defence and maintenance of those, the zealous Preservation of which His Majesty well knows is the onely foundation and means for the true Happiness of Him and His People.

Hen. Elsing, Cler. Parliament. D.C.

The Articles of Cessation sent to His MAJESTY, Februar. ultimo.

WHereas the Lords and Commons in Parliament, out of a tender sense of the present Miseries and Distractions of the Kingdom, and for the obtaining and settling of a happy Peace between His Majesty and His People, have humbly presented to His Majesty divers Propositions, to which He hath been pleased to make this return, That His desire was, that a speedy time and place might be appointed for the discussing of those Propositions, and likewise some others proposed by His Majesty: It is thereupon agreed in both Houses, that a Committee of both Houses shall be appointed to attend His Majesty on or before the fourth of March, if His Majesty shall so please, to endeavour to give Him all humble and fit satisfaction concerning the said Propositions, both His Majesties and their own. And whereas for the more speedy removal of the bloody and miserable effects of War, His Majesty hath likewise been graciously pleased by a late * Message to signifie His desire, that for avoiding all intervening Accidents of War which might interrupt this Treaty, there might be a Cessation of Arms under such particular conditions and limitations as should be agreed on; their humble desires therein concurring with His Majesty, it is by them assented and agreed, That a Cessation of Arms, in order to such a Treaty as is resolved upon by both Houses of Parliament, may be enjoined to all the Armies and Forces now on foot in the Kingdom of *England* and Dominion of *Wales*, on either side, under the restrictions and limitations hereafter following, and that neither side shall be bound and limited by this Cessation in any other wise or to any other purpose then is hereafter expressed.

* Message of Feb. 20.

I. That all manner of Arms, Ammunition, Victuals, Money, Bullion, and all other Commodities, passing without such a safe Conduct as may warrant their passage, may be staid and seized on, as if no such Cessation were agreed on at all.

II. That all manner of Persons passing without such a safe Conduct as is mentioned in the Article next going before, shall be apprehended and detained, as if no such Cessation were agreed on at all.

III. That His Majesties Forces in *Oxfordshire* shall advance no nearer to *Windsor* then *Wheatly*, and in *Buckinghamshire* no nearer to *Ailesbury* then *Brill*, and that in *Berks* the Forces respectively shall not advance nearer the one to the other then now they are; and that the Parliament-Forces in *Oxfordshire* shall advance no nearer to *Oxford* then *Henley*, and those in *Buckingham* no nearer to *Oxford* then *Ailesbury*: and that His Majesties Forces shall take no new Quarters above twelve miles from *Oxford* any way; and that the Parliament-Forces shall take no new Quarters above twelve miles from *Windsor* any way.

IV. That no Siege shall be begun or continued against *Gloucester*, and that His Majesties Forces now employed in the Siege shall return to *Cirencester* and *Malmsbury*, or to *Oxford*, as shall be most for their conveniency; and the Parliament-Forces which are in *Gloucestershire* shall remain in the Cities of *Gloucester*, *Bristol*, and the Castle and

Town of *Berkly*, or retire nearer to *Windsor*, as they shall see cause; and that those of *Wales* which are drawn to *Gloucester*, shall return into their Quarters where they were before they drew down to *Gloucester* *(hire)*.

V. That in case it be pretended on either side that the Cessation is violated, no Act of Hostility is immediately to follow, but first the party complaining is to acquaint the Lord General on the other side, and to allow three days after notice given for satisfaction; and in case satisfaction be not given or accepted, then five days notice to be given before Hostility begin. And the like to be observed in the remoter Armies by the Commanders in chief.

VI. Lastly, that all other Forces in the Kingdom of *England* and Dominion of *Wales*, and not before mentioned, shall remain in the same Quarters and places as they are at the time of the publishing of this Cessation, and under the same conditions as are mentioned in the Articles before; and that this Cessation shall not extend to restrain the setting forth or employing of any Ships for the defence of His Majesties Dominions.

All which they humbly desire His Majesty will be pleased to ratifie and confirm, and that this Cessation may begin upon the fourth of *March* next, or sooner if it may be, and continue untill the five and twentieth of the same moneth, and in the mean time to be published to the Commanders, Officers and Souldiers, and all other His Majesties loving Subjects on either side; and that the Treaty intended may commence upon the fourth of *March* next, or sooner if it may be, and the continuance thereof not to exceed twenty days.

Hen. Elsing Cler. Parl. D. Com.

His MAJESTIES Message to both His Houses of Parliament in Answer to the Articles of Cessation; received at a Conference, Martii 6. 1642.

HIS Majesty hoped the Treaty would have been begun and the Cessation agreed on long since, and that much might in this time have been concluded in order to the Peace and Happiness of the Kingdom; but since in almost a moneth (for His Majesties Propositions were made on the third of *February*, and He heard not since from both Houses till the first of *March*) no consent hath been yielded to it, He conceives the Cessation cannot begin so soon as the fourth of this Moneth, by which time (though His Majesty uses no delay in making His Answer) the same can hardly be returned to them; and many of the Articles now presented to Him from both Houses concerning the Cessation are so strict, that such of His good Subjects who are not of His Army (and for whom generally He shall alwaies have a principal, just and compassionate regard) receive not any benefit, or are restored to any liberty thereby, which His Majesty shall ever insist upon (when in matters merely concerning Himself

Himself He may descend to easier Conditions) and which He hath returned with such Alterations as He doubts not both Houses will consent to, and do sufficiently manifest how sollicitous His Majesty is for the good of His People, and how desirous He is that in this unnatural contention no more blood of His Subjects may be spilt (upon which He looks with much grief, compassion and tenderness of heart) even of those who have lifted up their hands against Him: and His Majesty therefore desires (against which He can imagine no objection can be made) that the Cessation may begin upon the twelfth of this moneth, or sooner, if the Conditions of the Cessation shall be sooner agreed on; and is willing the same shall continue for twenty daies, in which time He hopes by the Treaty, and a clear understanding of each other, a full Peace and Happiness may be established throughout the Kingdome. And during that time His Majesty is willing that neither side shall be bound or limited by this Cessation in any other wise, or to any other purpose, then is hereafter expressed.

I. That all manner of Arms, Ammunition, Money, Bullion and Victuals passing for the use of either Army, without a Pass or safe Conduct from the Generals of each Army, may be stayed and seized on, as if no Cessation were agreed on at all.

II. That all Officers and Souldiers of either Army, passing without such licence or safe Conduct as aforesaid, may be apprehended and detained, as if no such Cessation were agreed on at all; and that all manner of persons His Majesties Subjects, of what quality or condition soever, (except Officers and Souldiers of either Army) shall pass to and from the Cities of *Oxford* and *London* and back again at their pleasures during this Cessation, as likewise to and from any other parts of His Majesties Dominions, without any search, stay, or imprisonment of their persons, or seizure and detention of their goods or estates; and that all manner of Trade, Traffick and Commerce, be free and open between all His Majesties Subjects, excepting, as aforesaid, between the Officers and Souldiers of either Army, or for Arms, Ammunition, Money, Bullion, or Victuals, for the use of either Army, without a pass or safe Conduct as aforesaid, which may be a good beginning to renew the
Trade

Trade and Correspondence of the Kingdom, and whereby His good Subjects may be restored to that liberty and freedom they were born to, and have so happily enjoyed till these miserable Distractions, and which even during this Warre His Majesty hath to His utmost laboured to preserve, opening the way by most strict Proclamations to the passage of all Commodities even to the City of *London* it self.

III. That His Majesties Forces in *Oxfordshire* shall advance no nearer to *Windfor* then *Wheatly*, and in *Buckinghamshire* no nearer to *Ailesbury* then *Brill*, and that in *Berkshire* the Forces respectively shall not advance nearer the one to the other then they shall be at the day to be agreed upon for the Cessation to begin; and that the Forces of the other Army in *Oxfordshire* shall advance no nearer to *Oxford* then *Henley*, and those in *Buckinghamshire* no nearer to *Oxford* then *Ailesbury*; and that the Forces of neither Army shall advance their Quarters nearer to each other then they shall be upon the day agreed on for the Cessation to begin, otherwise then in passage and communication between their severall Quarters respectively, without any acts of Hostility each to other, but may inlarge themselves within their own Quarters respectively as they shall finde convenient.

IV. That the Forces of either Army in *Gloucestershire*, *Wiltshire* and *Wales*, as likewise in the Cities of *Gloucester*, *Bristol*, and the Castle and Town of *Berkley*, shall be guided by the Rule exprest in the later part of the precedent Article.

V. That in case it be pretended on either side that the Cessation is violated, no act of Hostility is immediately to follow, but first the party complaining is to acquaint the Lord General on the other side, and to allow three days after notice given for satisfaction; and in case satisfaction be not given or accepted, then five days notice to be given before Hostility begin: and the like to be observed in the remoter Armies by the Commanders in chief.

VI. That all other Forces in the Kingdom of *England* and Dominion of *Wales*, not before mentioned, shall remain in the same Quarters and places as they are at the time of publishing this Cessation, otherwise then in passage and communication between their severall Quarters, as is mentioned in the later part of the third Article; and that this Cessation shall not extend to restrain the setting forth
or

or imploying any Ships for the defence of His Majesties Dominions, provided that His Majesty be first acquainted with the particulars, and that such Ships as shall be set forth be commanded by such persons as His Majesty shall approve of.

VII. Lastly, that during the Cessation none of His Majesties Subjects be imprisoned, otherwise then according to the known Laws of the Land; and that there shall be no plundering or violence offered to any of His Subjects. And His Majesty is very willing, if there be any Scruples made concerning these Propositions and Circumstances of the Cessation, that the Committee for the Treaty nevertheless may immediately come hither, and so all matters concerning the Cessation may be here settled by them.

H. Elfinge Cler. Parl. D. Com.

*His MAJESTIES Answer to the * Articles of
Cessation sent to His Majestie.*

* [to the Votes
of both Houses,
and to their
desire of a safe
Conduct.]

HIS Majestie hath sent a safe Conduct for the Earle of Northumberland, Mr Pierrepont, Sir William Armyne, Sir John Holland and Mr Whitelocke, but hath not admitted the Lord Say to attend Him, as being excepted against by name in His Proclamation at Oxford of the third of November, and by Writ to the Sheriffe proclaimed then in that County, in which His Majesties Intention is declared to proceed against him as a person guilty of High-Treason, and so falling to be within the case of Sir John Evelin, who upon the same Exception was not admitted to attend His Majestie with the rest of the Committee at Colebrook in November last: But His Majestie doth signifie, that in case the House shall think fit to send any other person in the place of the Lord Say that is not included in the like Exception, His Majesty hath commanded all His Officers, Souldiers and other Subjects, to suffer Him as freely to passe and repasse as if His Name had ben particularly comprised in this safe Conduct.

His Majestie is content that His Proposition concerning the Magazines, Forts, Ships and Revenue, and the Proposition of both Houses for the disbanding of the Armies, shall be first Treated of,
and

and agreed of before the proceeding to treat upon any of the other Propositions; and that after, the second of His Majesties and the second of theirs be treated on, and agreed of, and so on in the same order; and that from the beginning of the Treaty the time may not exceed Twenty dayes; in which He hopes a full Peace and right understanding may be established throughout the Kingdome.

H. Elsinge Cler. Parl. D. Com.

The last Articles of Cessation now sent to His MAJESTIE.

THE Lords and Commons in Parliament being still carried on with a vehement desire of Peace, that so the Kingdome may speedily be freed from the Defolation and Destruction wherewith it is like to be overwhelmed if the Warre should continue, have with as much expedition as they could considered of the Articles of Cessation, with those Alterations and Additions offered by His Majestie, unto which they are ready to agree in such manner as is exprest in these ensuing Articles (*viz.*)

I. That all manner of Armes, Ammunition, Victual, Money, Bullion and all other Commodities, passing without a safe Conduct from the Generalls of both Armies, as well of His Majesties as of the Armies raised by the Parliament, may be stayed and seized on, as if no such Cessation were agreed on at all.

II. That all manner of persons passing without such a safe Conduct as is mentioned in the Articles next going before, shall be apprehended and detained, as if no such Cessation were agreed on at all.

III. That His Majesties Forces in *Oxfordshire* shall advance no nearer to *Windsor* then *Wheatly*, and in *Buckinghamshire* no nearer to *Ailesburie* then *Brill*, and that in *Berkshire* the Forces respectively shall not advance nearer the one to the other then they shall be at the day to be agreed on for the Cessation to begin; and that the Forces of the other Army raised by the Parliament shall advance no nearer to *Oxford* then *Henley*, and those in *Buckinghamshire* no nearer to *Oxon* then *Ailesbury*; and that the Forces of neither Army shall advance their Quarters nearer to each other then they shall be upon the day agreed on for the Cessation to begin.

IV. That the Forces of either Army in *Gloucestershire*, *Wilts* and *Wales*, as likewise in the Cities of *Gloucester* and *Bristol*, and the Castle and Town of *Berkly*, shall be guided by the Rule exprest in the latter part of the precedent Article.

V. That in case it be pretended on either side that the Cessation is violated, no act of Hostility is immediately to follow, but first the party complaining is to acquaint the Lord General on the other side, and to allow three daies after notice given for satisfaction, and in case satisfaction be not given or accepted, then five daies notice to be given before Hostility begin; and the like to be observed in the remoter Armies by the Commanders in chief.

VI. That all other Forces in the Kingdome of *England* and Dominion of *Wales*, not before mentioned, shall remain in the same Quarters and places as they are at the time of the publishing of this Cessation, and under the same Conditions as are mentioned in the Articles before: and that this Cessation shall not extend to restrain the setting forth or employing of any Ships for the defence of His Majesties Dominions.

VII. That

VII. That as soon as His Majesty shall be pleased to disband the Armies, which both Houses earnestly desire may be speedily effected, and to disarm the Papists according to Law, the Subjects may then enjoy the benefit of Peace in the liberty of their Persons, Goods, and Freedom of Trade; in the mean time the Generals and Commanders of the Armies of both sides shall be enjoined to keep the Souldiers from plundering, which the two Houses of Parliament have ever disliked and forbidden.

And for the speedy settling of this so-much-desired Peace, they have thought good to send their Committees with Instructions, that if His Majestie be pleased to consent to a Cessation so limited and qualified, they may forthwith proceed to treat upon the Propositions; and because the time is so far elapsed in these preparations, they desire the Cessation may begin the five and twentieth of this instant *March*, or sooner if it may be, and in the mean time notice to be given to all the Forces in the several and remote parts, and the Commanders, Officers and Souldiers are enjoined to observe this Cessation accordingly, to which they hope and pray that God will give such a blessing, that thereupon Peace, Safety and Happiness may be produced and confirmed to His Majesty and all His People.

H. Elsinge Cler. Parl. Dom. Com.

INSTRUCTIONS agreed on by the Lords and Commons in Parliament, for Algernon Earle of Northumberland, William Lord Viscount Say and Seale, William Pierrepont Esquire, Sir William Armyne Baronet, Sir John Holland Baronet, and Bulstrode Whitelocke Esquire, Committees appointed to attend His MAJESTIE upon the Propositions made by His Majestie to the Parliament, and likewise upon the other Propositions humbly presented from them to His Majestie.

I. **Y**OU shall present to His Majesty the Articles agreed on for the Cessation of Armes, humbly desiring His Majesty to ratifie and confirm the same under the Great Seal; which being obtained, you are to send it up to the Parliament with all possible speed: and shall likewise beseech the King to dispatch away Messengers to the Generals, Commanders and Souldiers of all His Armies and Forces, with a strict Command and Injunction that they observe those Articles of Cessation, according as they are agreed upon, as the two Houses likewise intend to give the like direction to the Lord General of the Armies raised for their Defence.

II. After His Majesty hath declared and ratified the Cessation, you shall then proceed to the Treaty, beginning with the first Proposition on His Majesties behalf, concerning His Majesties own Revenue, His Magazines, Towns, Forts and Ships, and thereunto make this Answer;

You shall declare, That the two Houses of Parliament have not made use of His Majesties own Revenue but in a very small proportion, which for a good part hath been employed in the maintenance of His Majesties Children, according to the allowance established by Himself; and they will satisfie what shall remain due to His Majesty of those Sums received out of His Majesties own Revenues, and shall leave the same to His Majesty for the time to come: And you likewise shall propound to His Majesty, that He will restore what hath been taken for His use, upon any of the Bills assigned to other purposes by several Acts of Parliament, or out of the provision made for the war of *Ireland*.

(Y)

That

That they will remove the Garrisons out of all Towns and Forts in their hands wherein there were no Garrisons before these Troubles, and slight all Fortifications made since that time, which Towns and Forts it is to be agreed on both parts shall continue in the same condition they were in before; and that those Garrisons shall not be renewed, nor the Fortifications repaired, without Consent of His Majesty and both Houses of Parliament.

That for those Towns and Forts which are within the Jurisdiction of the Cinque-Ports, they shall be delivered up into the hands of such a Noble person as His Majesty shall appoint to be Warden of the Cinque-Ports, being such a one as they shall confide in.

That the Town of *Portsmouth* shall be reduced to the number of the Garrison as was at the time when the Lords and Commons undertook the custody thereof; and such other Forts, Castles and Towns, as were formerly kept by Garrisons, as have been taken by them into their care and custody since the beginning of these Troubles, shall be reduced to such proportion of Garrison as they had in the year 1636, and shall be so continued; and that all the said Towns, Forts and Castles shall be delivered up into the hands of such persons of Quality and Trust, to be likewise nominated by His Majesty, as the two Houses shall confide in.

That the Warden of the Cinque-Ports, and all Governours and Commanders of Towns, Castles and Forts, shall keep the same Towns, Castles and Forts respectively for the Service of His Majesty, and the Safety of the Kingdome; and that they shall not admit into any of them any Foreign Forces raised without His Majesties Authority and Consent of the two Houses of Parliament; and they shall use their uttermost endeavours to suppress all Forces whatsoever raised without such Authority and Consent; and they shall seise all Arms and Ammunition provided for any such Forces.

That the Ships shall be delivered into the Charge of such a Noble person as His Majesty shall nominate to be Lord High-Admiral of *England*, and the two Houses of Parliament confide in, who shall receive the same Office by Letters Patent *quamdiu bene se gesserit*, and shall have power to nominate and appoint all subordinate Commanders and Officers, and have all other powers appertaining to the Office of High-Admiral; which Ships he shall employ for the defence of the Kingdom against all Foreign Forces whatsoever, and for the safeguard of Merchants, securing of Trade, and the guarding of *Ireland*, and the intercepting of all Supplies to be carried to the Rebels; and shall use his uttermost endeavour to suppress all Forces which shall be raised by any person without His Majesties Authority and Consent of the Lords and Commons in Parliament, and shall seise all Arms and Ammunition provided for supply of any such Forces.

That all the Arms and Ammunition taken out of His Majesties Magazines, which shall remain in their hands, shall be delivered into His Stores, and whatsoever shall be wanting, they will in convenient time supply in kind, according to the proportions which they have received; and that the Persons to whose charge those publick Magazines shall be committed, being nominated by His Majesty, shall be such as the Lords and Commons shall confide in: And you shall propound to His Majesty, that He will restore all such Arms and Ammunition as have been taken for His use from the several Counties, Cities and Towns.

To the Proposition made by the two Houses concerning the disbanding of the Armies, you shall humbly desire His Majesties speedy and positive Answer; unto which if He shall be pleased to give His Assent, you shall then beseech His Majesty in the name of both Houses, that a near day may be agreed upon for the disbanding of all the Forces in the remote parts of *Yorkshire* and the other Northern Counties, as also in *Lancashire*, *Cheshire*, and in the Dominion of *Wales*, and in *Cornwall* and *Devon*; and they being fully disbanded, another day may be agreed on for the disbanding of all Forces in *Lincolnshire*, *Nottinghamshire*, *Leicestershire*, and all other places, except at *Oxford* and the Quarters thereunto belonging, and *Windsor* and the Quarters thereunto belonging; and that last of all a speedy day be appointed for the disbanding those two Armies at *Oxford* and *Windsor*, and all the Forces Members of either of them.

That

That some Officers of both Armies may speedily meet to agree of the manner of the disbanding, and that fit Persons may be appointed by His Majesty and the Parliament, who may repair to the severall Armies, and see the disbanding put in speedy execution accordingly.

That His Majesty do likewise remove the Garrisons out of *Newcastle*, and all other Towns, Castles and Forts, where any Garrisons have been placed by Him since these Troubles; and that the Fortifications be likewise slighted, and the Towns and Forts left in such state and condition as they were in the year 1636.

That all other Towns, Forts and Castles, where there have been formerly Garrisons before these Troubles, be committed to the charge of such Persons to be nominated by His Majesty as the Parliament shall confide in, and under such Instructions as are formerly mentioned.

That if His Majesty shall be pleased to assent to these Propositions concerning the Towns, Forts, Castles, Magazines and Ships, that then His Majesty be humbly intreated to name Persons of Quality to receive the charge of the severall Offices and Forts, Castles and Towns, to be forthwith certified to the two Houses of Parliament, that thereupon they may express their confidence in those persons, or humbly beseech His Majesty to name others; none of which Persons shall be removed during three years next ensuing without just cause to be approved by Parliament; and if any be so removed, or shall dye within the said space, the Person to be put into the same Office shall be such as both Houses shall confide in.

That all Generalls and Commanders in any of the Armies on either side, as likewise the Lord Admiral of *England*, the Lord Warden of the Cinque-ports, all Commanders of any Ships, and Commanders of any Town, Castle or Fort, shall take an Oath to observe these Articles afore-mentioned, and to use their uttermost power to preserve the true Reformed Protestant Religion, and the Peace of the Kingdome against all Forein Force, and all other Forces raised without His Majesties Authority and Consent of the two Houses of Parliament.

You shall move His Majesty, that for the better dispatch of the Treaty, and the free intercourse of Instructions and Advertisements betwixt the two Houses of Parliament and the Committee, there may be a free pass of Messengers to and from the Parliament and the Committee, without search or interruption, and His Majesties safe Conduct to be obtained to that effect to such Persons as are or shall be appointed for that service, viz. for

Master *John Rushworth*, Master *Michael Welden*, Master *John Corbet* of *Graies-Inne*, and Master *James Standish*.

H. Elsing Cler. Parl. D. Com.

23 Martii, 1642.

The KINGS Message concerning the Cessation.

CHARLES R.

HIS Majesty hath immediately upon their arrival admitted the Committee sent to Him from both Houses of Parliament (as the Messengers of Peace) to His Royal Presence, and received the Articles of Cessation brought by them, which are in effect the same His Majesty formerly excepted to, though their expression in the Preface to these Articles, of their readiness to agree to those Alterations and Additions offered by His Majesty in such manner as is expressed, made Him expect to have found at least some of the real Alterations and Additions made by Him admitted, which He doth not discover.

I. His Majesty desired that Provision might be made, and Licence given to His good Subjects for their freedom of Trade, Traffick and Commerce, (though in matters which concerned Himself more immediately, as in Arms, Ammunition, Money, Bullion and Victual, for the use of His Army, and the Passage of all Officers and Souldiers of His Army, He was contented the restraint should be in such manner as was proposed) of which His Majesty is so tender, that as He hath provided for the same by His gracious Proclamations, so He doth daily release and discharge such Merchandize and Commodities as are contrary to those Proclamations stayed by any of His Majesties Forces.

To this Freedom and Liberty of His good Subjects there is not the least admission given by these Articles, so that they have not any ease or benefit by this Cessation; which His Majesty desires both Houses to consider of, and whether, if His Majesty should take the same course to stop and interrupt the Trade of the Kingdom as the other Army doth, a general Loss and Calamity would not seize upon His good Subjects.

II. His Majesty, to the end that a full Cessation might be as well at Sea as at Land, and He might be secured, that the Ships proposed

to be set forth for the Defence of His Majesties Dominions should be employed onely to that end and purpose, desired, that they might be put under the Command of Persons to be approved of by His Majesty; which is not consented to by these Articles, but their former, to which His Majesty excepted, strictly and entirely insisted on, by which (besides that part of Hostility remains) the conveying of any number of Forces from any part to any other by that means remains free to them.

III. For the prevention of any Inconveniencies which might arise upon real Differences or Mistakes upon the latitude of Expressions (as if His Majesty should now consent to these Articles proposed in the Terms proposed, He must confess the Army of which He complains to be raised by the *Parliament*, and either Himself to be no part of the Parliament, or Himself to have raised that Army) and for prevention of that Delay which He foresaw could not otherwise be avoided, if upon every Difference the Questions must be remitted to *London*, His Majesty desired that the Committee (for whom He then sent a safe Conduct) might have liberty to debate any such Differences and Expressions, and reconcile the same, that all possible Expedition might be used to the main Treaty.

In this point of so high Concernment no power is given in these Articles, and the Committee confessed to His Majesty they have no Power given, but are strictly and precisely bound to the very words of the Articles now sent, and that before these are consented to by Us, they cannot enter into any Treaty concerning the other Propositions.

IV. His Majesty desired, that during the Cessation none of His good Subjects might be imprisoned, otherwise then according to the known Laws of the Land.

This is in no degree consented to, but the privilege and liberty, to which they were born, reserved from them till the disbanding of both Armies (though they are no part of either Army) and so have no benefit by this Cessation.

V. His Majesty desired, that during this Cessation there should be no Plundering or Violence offered to any of His Subjects.

In the Answer to which, His desire against Violence is not at all taken notice of, nor is His desire against Plundering any waies satisfi-

fied; His Majesty not only intending by it the robbing of the Subject by the unruliness of the uncommanded Souldier (which their Clause of requiring the Generals and Officers to keep them from it seems to imply, and the assertion, that the two Houses of Parliament had ever disliked and forbidden it, declares plainly to be their only meaning) but particularly the Violence and Plundering used to His Subjects by forcibly taking away their goods, for not submitting to Impositions and Taxes required from them by Orders or Ordinances of one or both Houses of Parliament, which are contrary to the known Laws of the Land.

VI. Besides that there is no consent given to those Alterations and Additions offered by His Majesty, (whatsoever is pretended) so where an absolute Consent may be supposed, because the very words of His Majesties Article are wholly preserved, yet by reason of the Relation to somewhat going before that is varied by them, the sense of those words is wholly varied too; as in the Fourth Article, that part of the Third Article to which that did referre being wholly left out. So that upon the matter all the Propositions made by His Majesty (which did not in Terms agree with those presented to Him) are utterly rejected.

For these Reasons, and that this Entrance towards a blessed Peace and Accommodation (which hath already filled the hearts of the Kingdom with Joy and Hope) may be improved to the wished end, His Majesty desires, that the Committee now sent may speedily have liberty to treat, debate, and agree upon the Articles of Cessation, in which they and all the world shall find, that His Majesty is less sollicitous for His own Dignity and Greatness than for His Subjects Ease and Liberty. And He doubts not upon such a Debate all differences concerning the Cessation will be easily and speedily agreed upon, and the benefit of a Cessation be continued and confirmed to His People, by a speedy disbanding of both Armies, and a sudden and firme Peace, which His Majesty above all things desires.

If this so reasonable, equal and just Desire of His Majesty shall not be yielded unto, but the same Articles still insisted upon, though His Majesty next to Peace desires a Cessation, yet that the not-agreeing upon the one may not destroy the hopes of nor so much as delay the
the

the other, He is willing however to Treat (even without a Cessation, if that be not granted) upon the Propositions themselves, in that order as is agreed upon (and desires the Committee here may be enabled to that effect.) In which Treaty He shall give all His Subjects that satisfaction, that if any security to enjoy all the Rights, Privileges and Liberties due to them by the Law, or that Happiness in Church and State which the best times have seen, with such farther acts of Grace as may agree with His Honour, Justice and Duty to His Crown, and as may not render Him less able to protect His Subjects according to His Oath, will satisfy them, He is confident in the Mercy of God, that no more precious blood of this Nation will be thus miserably spent.

My Lord, and Gentlemen,

WHereas by your former Instructions you are tied up to a circumstance of Time, and are not to proceed unto the Treaty upon the Propositions untill the Cessation of Arms be first agreed upon; you are now authorized and required, as you may perceive by the Votes of both Houses which you shall herewith receive, to Treat and debate with His Majesty upon the two first Propositions, according to those Instructions, for four days after the day of the receipt hereof, notwithstanding that the Cessation be not agreed upon.

Your Lordships most humble Servant, *Manchester*, Speaker of the House of Peers *pro tempore*.

March 24. 1642.

Received March 25.

Die Veneris, 24. Martii. 1642.

Resolved upon the Question by the Lords and Commons in Parliament;

THat the Committee at *Oxon* shall have power to Treat and debate with His Majesty upon the two first Propositions, according to their Instructions, for four days after the day of the receipt of this Message, notwithstanding that the Cessation is not yet agreed upon.

Resolved, &c.

That the Committee formerly appointed to prepare the Articles of Cessation, and Instructions for the Committee at *Oxon*, shall consider of an Answer to be made to His Majesties Message this day received; and likewise prepare Reasons to be sent to the Committee, for them to press in the Treaty and debate upon the former Articles of Cessation; and to shew His Majesty the grounds why the Houses cannot depart from those former Articles.

Joh. Brown Cler. Parliamentorum.

*The Votes of both Houses, and the Copy of the Answer to His MAJESTY,
Received Martii 25. 1642.*

May it please Your Majesty;

W E Your Loyal Subjects, the Lords and Commons in Parliament, having received a Message from Your Majesty, in which You are pleased to express Your Self not to be satisfied with the Articles of Cessation, presented unto You by our Committee now attending You at *Oxford*, and yet a signification of Your Majesties willingness to Treat upon the Propositions themselves, even without a Cessation, do with all humbleness give our consent that our Committee shall have power to treat and debate with Your Majesty upon the two first Propositions, according to their Instructions, for four days after the day of the receipt of this Message, notwithstanding that the Cessation be not yet agreed upon; that (as much as in us lies) here may be no delay in the proceedings for the obtaining of a blessed Peace, and the healing up the miserable Breaches of this distracted Kingdom; and do purpose to represent very speedily unto Your Majesty those just Reasons and grounds, upon which we have found it necessary to desire of Your Majesty a Cessation so qualified as that is, whereby we hope You will receive such satisfaction, as that You will be pleased to assent unto it, and being obtained, we assure our selves it will be most effectual to the Safety of the Kingdom, and that Peace which with so much zeal and loyal affection to Your Royal Person, and in a deep sense of the bleeding condition of this poor Kingdom, we humbly beg of Your Majesties Justice and Goodness.

Joh. Brown Cler. Parl.

*A Letter from the E. of Manchester to the E. of Northumberland,
Received March 29.*

M Y Lord, I am commanded by the Peers in Parliament to send unto your Lordship the Reasons which both Houses think fit to offer unto His Majesty, in pursuit of their adhering to their former Resolutions concerning the Articles of the Cessation of Arms. My Lord, you shall likewise receive additional Instructions from both Houses, and a Vote, which I send you here inclosed. My Lord, this is all I have in command, as

Mar. 27.

Your Lordships most humble Servant, *Manchester*,
Speaker of the House of Peers *pro tempore*.

Die Lunæ, 27 Martii, 1643.

Resolved upon the Question by the Lords in Parliament;

T Hat the Earl of *Northumberland*, their Committee at *Oxford*, is hereby authorized to acquaint His Majesty with all their Instructions upon the two first Propositions.

Jo. Brown Cler. Parl.

Additional

Additional Instructions, March 29.

Additional Instructions agreed upon by the Lords and Commons in Parliament, for Algernon Earl of Northumberland, William Viscount Say and Seal, William Pierrepont Esquire, Sir William Armyne Baronet, Sir John Holland Baronet, and Bulstrode Whitelocke Esquire, Committees attending His Majesty upon the Cessation and Treaty.

YOU shall alter the words mentioned in His Majesties third Article in this manner, leaving out the words [*The Army raised by the Parliament,*] and putting in these words, [*The Army raised by both Houses of Parliament.*]

You shall humbly present to His Majesty the Reasons herewithall sent from both Houses, for their not assenting to those Alterations and Additions to the Articles of Cessation offered by His Majesty.

You shall press the force of those Reasons, or any other, as there shall be occasion, in the best maner you may, to procure His Majesties assent to those Articles of Cessation; which if you shall obtain within two dayes after the day of the receipt hereof, you shall in the name of both Houses of Parliament agree and conclude upon the Cessation, to continue to the end of twenty dayes, to be reckoned from the twenty fifth of *March*, and upon a day certain, as soon as may be, when the same shall first begin and be of force: within which time notice is to be given as well by His Majesty, as by the Lords and Commons, to the severall Generals, Commanders and Souldiers respectively, to observe the same Cessation, as it is qualified and limited in those Articles: And after such conclusion made, you shall take care that those Articles be past under the Great Seal in a fitting and effectual manner, and speedily sent up to the Lords and Commons in Parliament, with four Duplicates of the same at least.

If His Majesty shall please to agree upon the two Propositions concerning His own Revenues, Towns, Forts, Magazines and Ships, and the disbanding of the Armies, you are then authorized fully to agree and conclude upon those Propositions, according to your Instructions: and you shall desire His Majesty that the same may be forthwith put in execution, according to the Instructions formerly given in that behalf; and the two Houses will be ready to put in execution what is to be performed on their part, of which you have hereby power to assure His Majesty. And if His Majesty shall not be pleased to agree upon those two Propositions within the time of four days, you shall then speedily give advertisement to the two Houses of Parliament, that thereupon they may give such further direction as to them shall seem fit.

Joh. Brown Cler. Parliamentorum.

Reasons for the Committee, Martii 27. 1643.

To the Kings most Excellent Majesty.

THE Lords and Commons in Parliament assembled do with all humble thankfulness acknowledge Your Majesties Favour in the speedy admission of their Committee to Your Royal Presence, and the expedition of Your Exceptions to their Articles, that so they might more speedily endeavour to give Your Majesty satisfaction: and although they were ready to agree to the Articles of Cessation in such manner as they exprest in their Preface, they cannot agree to the Alteration and Addition offered by Your Majesty without great prejudice to the Cause, and danger

danger to the Kingdom, whose Cause it is: The reasons whereof will plainly appear in the Answer to the particulars prest by Your Majesty.

I. They do deny that they have restrained any Trade, but to some few of those places where Your Majesties Forces are enquartered, and even now in the heat of War do permit the Carriers to goe into all the parts of the Kingdom with all sorts of Commodities for the use of the Subjects, except Arms, Ammunition, Money and Bullion: But if they should grant such a free Trade as Your Majesty desireth to *Oxford* and other places, where Your Forces remain, it would be very difficult, if not impossible, to keep Arms, Ammunition, Money and Bullion from passing into Your Majesties Army, without very strict and frequent Searches, which would make it so troublesome, chargeable and dangerous to the Subjects, that the question being but for twenty daies for so few places, the Mischiefs and Inconveniences to the whole Kingdom would be far greater then any Advantage which that small number of Your Subjects (whom it concerns) can have by it.

The case then is much otherwise then is exprest by Your Majesties Answer: for whereas they are charged not to give the least admision of this liberty and freedom of Trade during the Cessation; the truth is, that they do grant it as fully to the benefit of the Subject even in time of War; and that Your Majesty in pressing this for the Peoples good, doth therein desire that which will be very little beneficial to the Subjects, but exceeding advantagious to Your Majesty, in supplying Your Army with many necessities, and making Your Quarters a staple for such Commodities as may be vented in the adjacent Counties, and so draw Money thither, whereby the Inhabitants will be better enabled by Loans and Contributions to support Your Majesties Army. And as Your Majesties Army may receive much Advantage, and the other Army much Danger, if such freedom should be granted to those places; so there is no probability that the Army raised by the Lords and Commons shall have any return of Commodities and other Supplies from thence, which may be useful for them. And they conceive, that in a Treaty for a Cessation those demands cannot be thought reasonable which are not indifferent, that is, equally advantagious to both parties.

As they have given no interruption to the Trade of the Kingdom, but in relation to the supply of the contrary Army, which the reason of War requires; so they beseech Your Majesty to consider, whether Your Souldiers have not robbed the Carriers in several parts where there hath been no such reason, and Your Ships taken many Ships, to the great damage not only of particular Merchants, but of the whole Kingdom; and whether Your Majesty have not declared Your own purpose, and endeavoured by Your Ministers of State to embarque the Merchants goods in Foreign parts, which hath been in some measure executed upon the East-land Merchants in *Denmark*, and is a course which will much diminish the Wealth of the Kingdom, violate the Law of Nations, make other Princes Arbiters of the Differences betwixt Your Majesty and Your People, break off the intercourse betwixt this and other States, and like to bring us into quarrels and dissensions with all the neighbour-Nations.

II. To demand the approving of the Commanders of the Ships, is to desire the strength of one party to the other before the difference be ended, and against all Rules of Treaty: To make a Cessation at Sea, would leave the Kingdom naked to those Foreign Forces which they have great cause to believe have been solicited against them, and the Ports open for such supplies of Arms and Ammunition as shall be brought from beyond the Seas. But for conveying any number of Forces by those means from one part to another, they shall observe the Articles of the Cessation by which that is restrained.

III. As for the expression of [*the Army raised by the Parliament,*] they are contented it should be altered thus [*raised by both Houses of Parliament,*] as not desiring to differ upon words: But to give any conclusive Power in this case to the Committee upon such Differences as may arise, wherein the Houses have given no expresse direction, is neither safe for the Committee to undertake, nor fit for the two Houses

Houses to grant ; yet to debate and to presse the reason of their desires, whereby an Agreement from Your Majesty may be procured, is granted to them. And although the two Houses did think it most proper the Cessation should be first agreed on, and that it was unfit to Treat in blood ; yet to satisfie the world of their earnest longing after Peace, they have given power to the Committee to enter into the Treaty upon the two first Propositions, notwithstanding the Cessation be not yet assented to : and those being agreed, they hope the foundation will be laid, not only of a suspension, but a total abolition of all Hostility in the Kingdome.

IV. If the nature of War be duly considered, it must needs be acknowledged, that it is incompatible with the ordinary rules of a peaceable Government. Your Majesty would have them commit none but according to the known Laws of the Land; whereby they conceive Your Majesty understands, that it must be by the ordinary Proesse of Law : which being granted, it will follow, that no man must be committed by them for supplying Your Majesty with Arms, Powder, Ammunition; for by the Law of the Land the Subject may carry such goods from *London*, or any other place, to *Oxford*: the Souldiers must not be committed if they run from their Colours and refuse any duty in the Army: no man shall be committed for not submitting to necessary supplies of Money. So that if this be yielded in Your Majesties sense, they shall be disabled to restrain supplies from their Enemies, and to govern or maintain their own Souldiers. It cannot be thought reasonable, that under the disguise of a Cessation, they should admit that which will necessarily produce the dissolving of the Army, and destruction of the Cause.

It seems not probable that Your Majesty doth intend, that if any be taken with supplies for this Army, or mutining in Your own, such persons shall not be committed, but according to the known Laws of the Land, that is, by process of Law: but rather that Your Majesty will so interrupt this limitation of known Laws, that though it laies streight bonds upon the two Houses, yet it leaves Your Generals as much liberty as before. For it hath been denied by Your Majesty, that these known Laws give any Power to the two Houses of Parliament to raise Arms, and so consequently their General cannot exercise any Martial Law in those cases : and it is not unlike but that it will be affirmed, that the Generals constituted by Your Majesties Commission have that power by the same known Laws. So that this Article, under the specious shew of Liberty and Law, would altogether disable them to defend their Liberties and Laws, and would produce to Your Majesty an absolute Victory and Submission, under pretence of a Cessation and Treaty.

V. Being by necessity inevitable on their part enforced to a defensive Warre in this unhappy Breach between Your Majestie and them, and that they are therein warranted both by the Laws of God and Man, it must needs follow, that by the same Law they are enabled to raise means to support that Warre ; and therefore till it shall please God to incline Your Majestie to afford them such a Peace as may secure them, they cannot relinquish the power of laying Taxes upon those who ought to joyn with them in that Defence, and the necessary wyes of levying those Taxes upon them, in case of refusal, for otherwise their Army must needs be dissolved. But if Your Majestie shall consent to disband the Armies, the Cause of the Warre being taken away, the Consequences will likewise be removed, and the Subject restored to the benefit of those Laws which the necessity of Arms hath in such cases suspended.

VI. They deny any pretence of consenting to those Alterations and Additions offered by Your Majesty ; only in the Preamble they say they have considered of those Articles, with such Alterations and Additions, unto which Articles they profess they were ready to agree, not as they were accompanied with those Alterations and Additions, but in such manner as they expressed. As for the Clause left out in the third Article, it implied a freedom of passage and communication of Quarters, which is contrary to the nature of a Cessation, whereby matters should be preserved in the state they are, and neither party have liberty so much to advantage himself, as it is evident Your Majestie might do, if your Forces in the North and West might joyn with those at *Oxford*, and bring those Supplies of Treasure or Arms thither
which

which were brought out of *Holland*; or at least it should be so indifferent, as to give a proportionable advantage to the other side, which this doth not: For the Forces under the power of both Houses are so disposed, that they have an easie passage from one to the other; but Your Majesties Forces are severed the one from the other by many large Counties, strong Passes, and competent Armies: and if they had admitted this Clause, they had bereaved themselves of one of the greatest Advantages, and freed Your Majesties party of one of the greatest Inconveniences which Your Majesty or they have in this War.

For the Reasons already alleaged, they cannot agree to the alterations and enlargements of the Cessation propounded, or to transerre any such power to the Committee, of treating, debating and agreeing upon those Articles in any other manner then the Houses have directed: but that a faire and speedy passage may be opened to a secure and a happy Peace, they have enabled their Committees to treat and debate upon the two Propositions concerning His Majesties own Revenue, the delivery of His Towns, Castles, Magazines and Ships, and the disbanding of the Armies; which being agreed upon, a present Peace and Security will follow, and the Treaty upon the other Propositions be facilitated without fear of interruption by the confusion of War, or exasperation of either party by the bloody effects thereof.

In which Treaty the two Houses will desire and expect nothing but what doth stand with Your Majesties Honour and the Trust reposed in You, and is necessary for your Majesties good Subjects, that they may enjoy the true Religion, and their Liberties and Privileges, and that they may freely and in a Parliamentary way concur with Your Majesty in those things which may conduce to the Glory of God, the Safety and Happines of Your Majesty and Your Posterity and People, and preventing the like miserable effusion of *English* blood for the time to come. For the effecting whereof their most earnest Prayers and uttermost endeavours shall ever be faithfully and constantly employed, in hope that God will give a blessing thereunto.

Hen. Elsing Cler. Parl. D. Com.

Additional Instructions concerning the Cessation, March 29.

IN case we shall obtain Your Majesties Assent to the Articles of Cessation, as they were last presented to Your Majesty, within two daies after the day of the receipt of the Reasons this day presented to Your Majesty from both Houses, for their not assenting to those Alterations and Additions to the Articles of Cessation offered by Your Majesty, we are authorised by our Instructions this day received, in the name of both Houses of Parliament, to agree and conclude upon the Cessation, to continue to the end of twenty dayes, to be reckoned from the 25. of this instant *March*, and upon a day certain, as soon as may be, when the same shall first begin and be of force; within which time notice is to be given as well by His Majesty, as by the Lords and Commons, to the severall Generals, Commanders and Souldiers respectively, to observe the same Cessation as it is qualified and limited in those Articles last presented to Your Majesty.

Northumberland.

*John Holland.
B. Whitelocke.*

*Will. Pierrepont.
Will. Armyne.*

*The KING'S Question concerning Removall of Quarters,
March 13. 1643.*

WHether by denying the Communication of Quarters, you intend to restrain the Quarters of either Army from each other; as that the Forces at *Abbingdon* may not remove to *Banbury*
or

or the Forces at *Henley* may not remove to *Ailesbury*, or to any other places within the Quarter of each Army respectively.

Falkland.

The Committees Answer concerning Removal of Quarters, Mar. 31. 1643.

IN Answer to Your Majesties Question upon the third Article of the Cessation, We humbly conceive, That it is not intended to restrain the Quarters of their Army respectively from each other, so as they come not nearer the Quarters of the other Army; but that the Forces at *Abbingdon* may remove to *Banbury*, or the Forces at *Henley* may remove to *Ailesbury*, or to any other place within the Quarters of each Army respectively: so as the Forces of either Army respectively come not nearer the quarters of the other Army then they shall be upon the day agreed on for the Cessation to begin.

Northumberland.

*John Holland.
B. Whitelocke.*

*Will. Pierrepont.
Will. Armyne.*

*The KING'S Questions concerning the Cessation,
March 31. 1643.*

HIS Majesty desires to be resolved by the Committee of Lords and Commons, whether the Forces of *Oxford* may not as well go to *Reading*, as the Forces of *Henley* may to *Ailesbury*.

Whether His Majesties Forces belonging to the Army at *Oxford* may not go to *Shrewsbury*, or any other place backwards from *London*, so that in their march they approach no nearer to any Quarters of any of the contrary Armies then some of His Majesties Forces shall quarter upon the day agreed upon for the Cessation to begin.

Falkland.

The Committees Answer concerning the Cessation, March 31. 1643.

WE humbly conceive, that by our Instructions we are not enabled to give any Resolution upon Your Majesties Questions concerning the Removall of Quarters, other then we have already given.

Northumberland.

*John Holland.
B. Whitelocke.*

*Will. Pierrepont.
Will. Armyne.*

A Letter from the Earl of Manchester, April 4.

My Lord,

I Am commanded by the Lords in Parliament to send unto your Lordship these inclosed Votes, for the giving your Lordship and the Committee longer time to treat of the first Propositions. This is all I have in command, as

April 2.

Your Lordships most humble Servant, *Manchester*,
Speaker of the House *pro tempore*.

(Z)

Votes

Votes of both Houses for four daies longer to Treat, April 4.

Die Lunæ, Aprilis 3. 1643.

Resolved upon the Question by the Lords and Commons in Parliament assembled ;
THat further time shall be given to the Committee at *Oxon* to treat upon the two first Propositions, *viz.* the first Proposition of His Majesties, and the first Proposition of both Houses.

Resolved, &c.

That the time prescribed for the Treaty upon the two first Propositions shall be untill Friday next.

Resolved, &c.

That Friday in this last question shall be taken inclusive.

*Joh. Brown Cler. Parliamentorum.**April 4.**His Majesties Message concerning the Cessation.*

CHARLES R.

HOW His Majesty hath spent His time since the Committee from His two Houses of Parliament came hither, how willing He hath been (during the four daies allowed to them) to expedite the Treaty it self, by the free and diligent disquisition of the particulars comprized in those two first Articles, and how intent He hath been upon the Cessation (which He thinks so necessary, and so much desires) since the last Message concerning the same came to Him, the Committee themselves cannot but observe: And though no conclusion could be made within the two daies (a time limited with much strictnesse in a businesse of so great moment, where all words and expreſsions must be carefully and exactly weighed) His Majesty cannot doubt but both Houses will be willing to give and receive satisfaction in any particulars which are necessarily to be considered in concluding the same, though the two dayes are expired. And if His Majesty enlarges Himself in His Replies more then may seem necessary to the Propositions and Differences in debate, it must be remembred, by what unnecessary and unwarrantable expreſsions in this last Message from His two Houses He is not only invited, but compelled thereunto; which He could heartily have wished might upon this occasion have been forborn.

I. For the Freedom of Trade, His Majesty hath great reason to require, and the two Houses to admit, that Freedom to His good
 Subjects

Subjects He desired. For what concerns the supply of the Army with Arms, Ammunition, Money, Bullion and Victuals, He consented to the very terms proposed by the two Houses; and that they may be observed, is contented that searches may be made, which being but the trouble of particular persons, is not considerable, in respect of the publick benefit and advantage. But why all other liberty of Traffick and Commerce should not be granted to His good Subjects, He cannot understand; for that His Majesties Army should receive much Advantage thereby, and the contrary Army none, is in no degree confessed. For (besides the restraint is to places where no part of His Majesties Army is, and indeed the whole Trade of the Kingdom interrupted) 'tis as great a support (if not a greater) to the contrary Army, to maintain and keep up the Trade of *London*, from whence that receives its supply and relief, as to His Majesties Army to continue the Trade of *Oxford*, or any other place where His Forces reside; and to stop and seize the Cloth, Kerfies, and other Western Commodities (which His Majesty can daily doe from *Reading*) would be as great disturbance to the Trade of *London*, as the seizing of any Commodities (which may be done by the Earl of *Essex* from *Windsor* or *Wickham*) can be to the Trade of *Oxford*. And therefore His Majesty hath great reason to press, that mutual and universal Freedom to all His good Subjects may be granted: Otherwise, He must either permit that Licence to His Army, to seize the goods of His People in their passage to *London*, and to interrupt and break the Trade and Correspondence of the Kingdom (which both out of publick consideration and private compassion His Majesty is most averse from) or else must grant that evident Benefit and Advantage to those who deny the same to Him, and to His People for His sake. And it cannot be denied but this Freedom is so very beneficial to His Subjects, and so wholly considerable to His Majesty under that Notion, that their very subsistence depends upon it, and by this means Trade may be continued; which, if a little more suppressed by these Distractions, will not be easily recovered, even by a settled Peace. His Majesty believes that some Carriers have been robbed by His Majesties Souldiers: But 'tis as true, that no Complaint hath been made to Him of that kind, which He hath not received to the relief

and reparation of the Petitioners. And 'tis therefore His desire, that both Houses would joyn with Him (at least during the Cessation) that there might be no more such Violences and interruptions offered to His good Subjects by either side.

For the imbarquing the Merchants Goods in Forein parts, His Majesty denies that any endeavour hath yet been made by His Ministers of State to that purpose: But 'tis true, His Majesty hath declared His Resolution, which He shall pursue, that such persons who absolve themselves from their Obedience to Him, and assise or consent to actions of Disloyalty to Him here, shall be deprived of those advantages, and must not expect that Protection from Him abroad which is due, and which He always hath and will allow to His good Subjects. And this is not to make other Princes Arbiters of the Differences betwixt His Majesty and His People; but to use the mutual Amity and Correspondence with other Princes, for the maintenance and support of that Dignity for which it is made and entred into.

II. His Majesty did not demand the approving of the Commanders of Ships onely with reference to His present Right, for then He would have demanded not the approbation of the Commanders, but the Ships themselves; but this Demand was and is a thing most necessary for His Majesty: for the setting out the present Fleet is pretended to be for the defence of His Majesties Dominions, and which cannot conveniently suffer any alteration in Commanders, if the Cessation and Peace should be fully and speedily agreed upon; and therefore 'tis most necessary for His Majesty both to know the Designs, and to approve of the Commanders, who will not be so fit to be altered when once they are sent out.

His Majesty cannot see how a Cessation at Sea between His Majesty and His Subjects should leave the Kingdom naked to Forein Forces (a continuance of War may well doe it:) And His Majesty is willing to concur in the resistance of all such of what kind soever, and expects that, during the Cessation, the conveying of all Forces from one part to another by Sea for the assistance of the Earl of *Essex* be restrained; which both Houses seem now to consent to, which was not at all expressed in their former Articles.

III. His Majesties opinion, how unfit it was to Treat in blood,
suffi-

sufficiently appears, this debate concerning a Cessation arising first from His Majesties motion (it being left out in the Answer to His Message for a Treaty.) In order to which He had and hath great reason to desire, that the Committee may have liberty to debate and conclude any differences and expressions in the Articles of the Cessation, that the same may be reconciled and removed, without remitting all questions to *London*. For as those now consented to might in much less time have been agreed here if there had been that liberty; so there can hardly be a right and clear understanding of Intentions without expounding of words, and knowing the meaning from each other: as in the Consent which His Majesty now understands to be given by both Houses, that no Forces shall during the Cessation be sent by Sea for the relief of any place now held by them, the expression is not so clear, but referreth to Articles, in which if it was not comprised before (as His Majesty doth not conceive it was) no alteration is made by what now seems to be consented to, and the liberty which to all understandings may seem to be given, by removing out of one Quarter to another within the Precincts proposed, is not yet so demonstrable; the Committee having no power to answer what they understand in that point, which is most necessary to be known, that the Peace be not broken during that Cessation. And His Majesty wonders that it should be thought unsafe or unfit to give such a conclusive power of such Differences and Doubts to the Committee here, when 'tis notoriously known, that the very Liberty and Property of the Subject is committed not only to other Committees of the Houses without reporting to the Houses, but to persons who are employed by them, uninteressed in and unacquainted with the Directions of either or both Houses.

IV. It was no part of His Majesties intention, that His Article against Imprisonment of His Subjects, otherwise then according to the known Laws of the Land, should extend to the destruction of the Military Discipline of either Army: But this is a very sufficient instance of the necessity of enabling some persons to conclude upon these Articles, without which (through inanimadvertence or doubtfulness in the expressions) they who are nearest of a minde will hardly ever come to conclude, if every Punctilio must be forced to

be sent forwards and backwards a hundred miles : and (if this authority had been given to the Committee here, as for such causes was desired) a limitation of half a dozen words (which would have been as soon agreed to as proposed) would have saved most of this fourth Reason. And he that desires any thing necessary to the speed of this Cessation, gives a good argument of desiring the Cessation itself ; and whoever is averse to the one, can hardly be thought inclinable to the other.

But such of His Subjects as are not concerned in the discipline of the Army, are not concerned in this Objection ; and His Majesty hath reason to insist, that the same liberty may be restored to them in which they were born, and the care and defence of which is so much and so merely pretended by those who deny it to them.

V. Though it grieves His Majesty to the Soul to see the present miserable condition of His Subjects, groaning under so many visible Pressures because of an invisible Necessity, and plundered and imprisoned to maintain such a defensive War, as was begun to be raised against Him before His Majesty had granted one Commission to raise a man ; yet He cannot but be pleased with the ingenuity of this confession, that the implicate faith of His seduced Subjects begins to wear out so fast, that the authority of Declaring new, unknown Fundamental Laws, doth not now so work with them, to believe that these Taxes are laid according to the Laws of God and Man, nor the many pretences of imminent Dangers and inevitable ruine of their Religion, Laws and Liberties, so perswade them to believe this Cause to be the Cause of the Kingdom, but that if their Cause, Authority and Eloquence were not assisted by force and Rapine, their Army must needs be dissolved for want of being thought fit, much less necessary, to be pay'd by those who have equal right to judge of the Necessity and Danger, and for whose sakes, interests and concerns onely it was pretended to be raised, and who are defended by it against their wills. Nor is it strange that His Majesty cannot receive these Charges upon Him, as a reason to make Him contented and acquiesce with these Injuries to His Subjects ; or that they who saw His Majesties condition the last year (till continued Violence against Him opened the eyes and hearts of His Subjects to His assistance) should not believe that He began that War which
they

they saw Him so unlikely to resist; or that they, who could never finde nor hear from them who use not too modestly to conceal what is for their advantage, that from the beginning of the world to this present Parliament ever one man was raised before by Commission from both Houses, should not believe the raising of that their Army to be so warranted as is pretended, and any more approve of their Law then of their Necessity; or that they who know that His Majesty (in whom the power of making War and Peace was never denied to be, till these new Doctrines, which make it unlawful for Him to doe any thing, and lawful to doe any thing against Him, were of late discovered) though He can legally raise an Army, is not allowed to be legally able to raise Money to maintain it, will not allow of the Argument, from the power of Raising to the power of Taxing, and are as little satisfied with their Logick as with their Law, and extremely troubled to pay an Army they do not desire, for a Necessity they cannot see, by a Law they never heard of; and that other men, without their consent, must be jealous, fearful and quick-sighted at their Charges: and they have great reason to be apt to suspect that those made most haste to make a Warre, and have least desire of making Peace, who in time of War pretend their legal power to be so vastly enlarged. His Majesty therefore hath great reason to insist, that no Violence or Plundering be offered to His Subjects for not submitting to the illegal Taxes of one or both Houses, which in it self is equal; His Majesty being willing to be obliged from the like course, and relying wholly upon the known Justice of His Cause, and the Affection of His People, and in which (if the Kingdom be of their minde, and believe the Cause of the contrary Army to be really their own) the advantage will be wholly theirs, and this Judgement will be best given when the People is left to their liberty in this decision.

His Majesties real desire of disbanding the Armies may fully appear by His often seeking, and earnest endeavours to continue and conclude this Treaty in order to that disbanding.

VI. His Majesty leaves their Preamble to all the world to consider and to judge, whether any man by their saying they were ready to agree to His Majesties Articles in the manner as was exprest, would not have expected to have found after that expression, that

they had agreed at least to some one thing material in them, and had not onely meant by agreeing as was exprest, to exprest they would not agree at all.

For the Clause of Communication of Quarters so quietly left out, His Majesty looks upon it as of most infinite importance, the leaving out of that having discomposed the whole, many things having in the rest been assented to, which were therefore onely yielded, because the Inconveniencies growing by these Clauses, if they were alone, were salved by that Addition; and some things, in the other very dark and doubtful, were by that interpreted and cleared. And His Majesty is sufficiently informed how highly it concerns Him that every thing be so clear, that after no differences may arise upon any disputable point, since they whose Union, Industry, Subtilty and Malice could perswade any of His People that in the business of *Brainceford* He had broken a Cessation before any was made or offered, would have a much easier work to lay the breach of a made Cessation to His Majesties charge, if the ground of that Breach would bear the least dispute.

His Majesty doth agree, that to preserve things in the same state on both sides with as little advantage or disadvantage to either as the matter will possibly bear, is truly the nature of a Cessation, and is willing this Principle should be made the Rule, and never intended any thing that should contradict it; but cannot see the inequality in this which is pretended: For could Sir *Ralph Hopton* and the Earl of *Newcastle* come by this means to the King, and not the Earl of *Stamford* and Lord *Fairfax* to the Earl of *Essex*? Nor can His Majesty finde any stronger Passes or Forces to hinder His Armies from joyning with Him, then hinders theirs from joyning with them. If the Forces be unequal, theirs will hardly hinder the passage of His, without a Cessation; if they be equal, their coming in time of Cessation will be of equal use and advantage to their side, somewhat in point of Supplies to come with them excepted; and some advantage to one side will be, poize it how you will. But on the other side, if this clause be not in, how much greater is the disadvantage the other way by some Clauses? and how are His Forces (principally the Earl of *Newcastle's*) cooped up in old and eaten-up Quarters, or necessitated to retire to such as are more barren

ren and more eaten? So that if this were yielded to under the disguise of a Cessation, He must admit that which will much endanger the dissolving of the Army and destruction of the Cause; which is such a disadvantage as is against the nature of a Cessation formerly agreed and stated.

Notwithstanding all this, His Majesty, to shew His extraordinary and abundant desire of Peace, and to prevent the effusion of blood, is contented, if both Houses shall refuse to consent to His Propositions, which are so much for the benefit and advancement of the publick Trade and advantage of His good Subjects, to admit a Cessation upon the matter of their own Articles (excepting that liberty be given to the Committee to word it according to the real meaning and intention; and that the remove of Quarters within their own bounds, which is intended, may be so exprest and understood that no mistakes may arise) so that His Majesty may not be understood to consent to any imposing upon, levying, distraining, or imprisoning His good Subjects to force them to contribute or assist against Him (which He shall always continue to inhibit, requiring all men to resist those Illegal acts of Injustice and Violence, against which He doth absolutely protest;) and so that there may not be a liberty for any Rapine, Plundering, or seizing upon His Subjects by any of the Souldiers of that Army, for not submitting to such Illegal Impositions as aforesaid: For otherwise, they may during this Cessation (besides what is already imposed) impose new Taxes, not only to the Nineteenth part, but, if they please, (for their pleasure is all their bound) to the half of, or all their Estates, upon His good Subjects in His City of *London*, and all Counties within their reach; and their Army would then be at leisure to be employed as Collectors as well of the old Impositions, (which in most places without their Army they cannot levy) as of any such new one, and vast summes would and might by this means be raised to the destruction of His Subjects, extraordinary advantage to them, and great disadvantage to His Majesty, who can neither obtain His own Consent to take the like courses, nor in case He could, is He so quartered as to have within the power of His Army, without breach of the Cessation by drawing nearer to their Forces, any such City, or so many, so rich and so fresh Counties, as they

they have, to retire into to that purpose. So that as nothing is more just in it self and for His People then such a limitation; so nothing can be more unequal to His Majesty, or more advantageous to them, then the admission of or connivance to any such practices upon His People. This Cessation to begin on the 9. of *April*, and to continue to the end of 20. dayes from the 25. of *March*. And His Majesty desires that the Treaty may proceed upon the Propositions in order, upon which His Majesty hath an earnest desire that a firm and stable Peace may be agreed on, and both Armies speedily disbanded: otherwise, if during this Cessation (in the Articles of which His Majesty in order to Peace hath yielded to things manifestly unreasonable and prejudicial to His Army) the Treaty be not dispatched, His Majesty cannot without manifest ruine to His Army (principally that of the North) be able to contain Himself beyond this time now limited for the Cessation in the Quarters in which He hath so long been, and now is, and which will hardly be able to hold out so long, but must be forced to remove as He shall finde agreeable for His Occasions.

And in case any delay be made in consenting to these His Majesties limitations, or that the Houses shall reject this His offer of Cessation, His Majesty, as He hath lately desired (by a Proposition to both Houses, delivered to their Committee, to which He hath yet received no Answer) so He doth earnestly continue to desire, that the Treaty it self may not be delayed or interrupted by it, but that their Committee may be enabled to proceed upon it in the mean while.

Copia vera.

Jo. Brown Cler. Parliamentorum.

Addition of four dayes longer to Treat, April 4. 1643.

WE humbly acquaint Your Majesty that we received this morning the resolution of both Houses of Parliament, whereby farther time is given to us to Treat upon the two first Propositions, *viz.* the first Proposition of Your Majesty, and the first Proposition of both Houses; and that the time prescribed for the Treaty upon the two first Propositions shall be until Friday night.

Northumberland.

*John Holland.
B. Whitelocke.*

*Will. Pierrepont.
Will. Armyne.*

A Letter from both Houses, received April 8. 1643.

WE are commanded to send these inclosed Instructions to you from both Houses of Parliament, by which the resolutions of the Houses will appear unto you. This is all we have in command, and rest,

*Westminster the 7.
of April, 1643.*

Your humble Servants, *Manchester*, Speaker *pro tempore*,
William Lenthall, Speaker of the Commons House.

Instructions concerning the Cessation, received April 8. 1643.

A farther Addition of Instructions agreed upon by the Lords and Commons in Parliament, for Algernon Earl of Northumberland, William Pierrepont Esquire, Sir William Armyne Baronet, Sir John Holland Baronet, and Bulstrode Whitelocke Esquire, Committees of both Houses of Parliament attending His Majesty at Oxon.

YOU are hereby to take notice, That the two Houses have considered His Majesties Answer to their Reasons concerning the Cessation, wherein there are divers expressions which reflect much upon the Honour and Justice of the Houses, and might occasion particular Replies; yet at this time they desire to decline all Contestation, their wishes and endeavours being earnestly bent upon the obtaining a speedy Peace: For which cause they do not think good to consume any more of that time allowed for the Treaty in any farther debates upon the Cessation, concerning which they finde His Majesties expressions so doubtful, that it cannot be suddenly or easily resolved; and the remainder of the time for the whole Treaty being but seven daies, if the Cessation were presently agreed, it would not yield any considerable advantage to the Kingdom. Wherefore you shall desire His Majesty, that He will be pleased to give a speedy and positive Answer to their first Proposition concerning the Disbanding, that so the People may not have only a Shadow of Peace in a short time of Cessation, but the Substance of it, in such manner as may be a perpetual Blessing to them, by freeing the Kingdom from those miserable effects of War, the effusion of *English* blood, and Desolation of many parts of the Land.

For the obtaining of which Happiness, the Lords and Commons have resolved to enlarge your Power, That if you shall not have fully agreed upon the two first Propositions before Friday night, you may, notwithstanding any former restraint, proceed to treat upon them according to the Instructions formerly given you, although the Articles of the Cessation are not agreed upon.

And those two first Propositions being concluded, the two Houses will thereupon give you further Instructions to proceed to the other Propositions, that so the whole Treaty may be determined within the twenty daies formerly limited, to be reckoned from the 25. of *March* last, which can admit no alteration or enlargement without manifold Prejudice and Danger to the whole Kingdom.

Joh. Brown Cler. Parliamentorum.

The KING'S Reply touching Cessation; and His desire to enable the Committee to treat upon the Propositions in the mean time; and touching His coming to the Parliament.

C. R.

IF the Committee, according to His Majesties desire, had had but power to agree in the wording of Expressions in the Articles of Cessation, His Majesties (which are as clear as the matter would bear, and as He could make them) had not appeared so doubtful to any, but that the Cessation might have been suddenly and speedily resolved, and that long before this time. And if the expressions of both Houses in their Reasons had not necessitated His Majesty in His own defence to give such Answers, as could not upon those points deliver Truth without some shew of Sharpness, no Expression of that kind in His Majesties Answer had given any pretence for the rejection of, or refusing so much as to treat upon this Cessation, which (though it were at present for no long time) yet was from the day named by themselves, the 25. of *March*; whereas His Majesty first moved for a Cessation and Treaty without any limitation at all in the time of either, and His Majesty was most ready to have enlarged the time, (so that in the mean while the point of Quarters might be so settled as that His Armies might subsist) and which might have been (if they had pleased) a very good and promising earnest and fore-runner of that great blessing of Peace; for the obtaining of which the wishes and endeavours of all good men being earnestly bent, a farther debate in order to so great a Benefit did not deserve to be styled a consumption of time. And His Majesty cannot but conceive Himself to be in a strange condition, if the doubtfulness of Expressions (which must alwayes be whilst the Treaty is at such a distance, and power is denied to those upon the place to help to clear and explain) or His necessary Replying to charges lay'd upon Him (that He might not seem to acknowledge what was so charged) or the limitation of the time of seven dayes for the Treaty (which was not limited by His Majesty, who ever desired to have avoided that and other limitations which have given
great

great interruptions to it) should be as well believed to be the grounds, as they are made the arguments, of the rejection of that which (next to Peace it self) His Majesty above all things most desires to see agreed and settled, and which His Majesty hopes (if it may be yet agreed on) will give His People such a taste of such a Blessing, that after a short time of consideration, and comparing of their several conditions in Warre and Peace, and what should move them to suffer so much by a Change, they will not think those their friends that shall force them to it, or be themselves ready to contribute to the renewing of their former Miseries, without some greater evidence of Necessity then can appear to them, when they shall have seen (as they shall see, if this Treaty be suffered to proceed) that His Majesty neither asks nor denies any thing, but what not only according to Law He may, but what in Honour and care of His People He is obliged to ask or deny. And this alone (which a very short Cessation would produce) His Majesty esteems a very considerable advantage to the Kingdome; and therefore cannot but presse again and again, that whatever is thought doubtfull in the expressions of the Articles, may (as in an hour it may well be done) be expounded, and whatsoever is excepted at may be debated and concluded, and that Power and Instructions may be given to the Committee to that end; that the miserable effects of War, the effusion of *English* blood, and desolation of *England* (untill they can be totally taken away) may by this means be stayed and interrupted.

His Majesty supposes, that when the Committee was last required to desire His Majesty to give a speedy and positive Answer to the first Proposition concerning Disbanding, His Answers in that point (to which no Reply hath been made, and which He hopes by this time have given satisfaction) were not transmitted and received: but wonders the Houses should presse His Majesty for a speedy and positive Answer to the first part of their first Proposition concerning Disbanding, when to the second part of the very same Proposition, concerning His Return to both Houses of Parliament, they had not given any Power or Instructions to the Committee so much as to treat with His Majesty; and when His Majesty (if His desire of Peace, and of speeding the Treaty in order to that,

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had

had not been prevalent with Him) might with all manner of Justice have delayed to begin to treat upon one part, untill they had been enabled to treat upon the other: In which point, and for want of which power from them, the only stop now remains; His Majesties Answers to both parts of their first Proposition being given in, transmitted, and yet remaining unanswered.

To which untill the Houses shall be at leisure to make Answer, that as little delay in this Treaty as is possible may be caused by it, His Majesty desires likewise, that the Committee may be enabled to treat upon the following Propositions in their several orders.

A Letter from both Houses, April 8.

WVE have sent unto you by this Gentleman, Sir *Peter Killegrew*, some additional Instructions, by which your Lordship and the rest of the Committee will perceive the Resolutions which the Houses have taken upon the Papers which they received this day from you. This is all we have in command, and remain,

*Westminster this 8 of
April, 1643.*

Your Lordships humble Servants, *Manchester*,
Speaker of the House of Peers *pro tempore*,
Will. Lenthall, Speaker of the Commons
House in Parliament.

Instructions concerning the Insisting, received *April 9. 1643.*

Additional Instructions for Algernon Earle of Northumberland, William Lord Viscount Say and Seale, William Pierrepont Esquire, Sir William Armyne and Sir John Hollan^e Baronets, Bulstrode Whitelocke Esquire, Committees from both Houses attending His Majesty at Oxford.

Magazines, and enlarging the time.

THE two Houses of Parliament are unsatisfied with His Majesties Answer to that Clause of the first Proposition which concerns the Magazines: Wherefore you are to desire His Majesty to make a further Answer, in such manner as is exprest in the Instructions formerly given you; and you shall let His Majesty know, That the Lords and Commons do not think fit to enlarge the time of the Treaty beyond the twenty daies formerly limited.

Cinque-

Cinque-Ports, Towns, Forts and Castles.

They likewise remain unsatisfied with His Majesties Answer concerning the Cinque-Ports, Towns, Forts and Castles, being in the most material points an expresse Denial: Wherefore you are to insist upon their desire for another Answer, according to your Instructions.

Ships.

They observe in His Majesties Answer concerning the Ships, not onely a Denial to all the desires of both Houses, but likewise a Censure upon their proceedings. However, you are to insist upon their desires expressed in your Instructions.

Disbanding.

They further conceive that His Majesties Answer to their first Proposition concerning the Disbanding is in effect a Denial, unless they desert all those cautions and limitations which they have desired in their Answer to His Majesties first Proposition: Wherefore you are to proceed, insisting upon that part of their first Proposition concerning the Disbanding, according to your Instructions.

KINGS Return to the Parliament.

You shall declare to His Majesty the desire of both Houses of His Majesties coming to His Parliament, which they have often exprest with as full offers of security to His Royal Person, as was agreeable to their Duty and Allegiance; and they know no cause why His Majesty may not repair hither with Honour and Safety: but they did not insert it into your Instructions, because they conceived the disbanding of the Armies would have facilitated His Majesties Resolution therein, which they likewise conceived was agreeable to His Majesties Sense, who in declaring His Consent to the Order of the Treaty, did onely mention that part of the first Proposition which concerned the Disbanding, and did omit that which concerned His coming to the Parliament.

Oath of Officers.

They conceive the ordinary Oaths of the Officers mentioned are not sufficient to secure them against the extraordinary causes of Jealousie which have been given them in these troublesome times; and that His Majesties Answer layes some tax upon the Parliament, as if defective; and thereby incapable of making such a Provisional Law for an Oath: therefore you shall still insist upon their former desires of such an Oath as is mentioned in your Instructions.

If you shall not have received His Majesties positive Answer to the humble desire of both Houses in these two first Propositions, according as they are exprest in your Instructions, before the twenty dayes limited for the Treaty shall be expired, you shall then with convenient speed repair to the Parliament, without expecting any further direction.

Jo. Brown Cler. Parliamentorum.

[His Majesties
Message of Apr.
12. at the end of
the Treaty.]

CHARLES REX,

TO shew to the whole World how earnestly His Majesty longs for Peace, and that no Success shall make Him desire the continuance of His Army to any other end or for any longer time than that, and until things may be so settled, as that the Law may have a full, free and uninterrupted course for the defence and preservation of the Rights of His Majesty, both Houses and His good Subjects;

1. As soon as His Majesty is satisfied in His first Proposition, concerning His own Revenue, Magazines, Ships and Forts, in which He desires nothing but that the just, known, Legal Rights of His Majesty (devolved to Him from His Progenitors) and of the Persons trusted by Him, which have violently been taken from both, be restored unto Him and unto them, unless any just and legal exceptions against any of the Persons trusted by Him (which are yet unknown to His Majesty) can be made appear to Him :

2. As soon as all the Members of both Houses shall be restored to the same capacity of sitting and voting in Parliament as they had upon the first of *January* 1641. the same of right belonging unto them by their birth-rights, and the free election of those that sent them, and having been voted from them for adhering to His Majesty in these Distractions ; His Majesty not intending that this should extend either to the Bishops, whose Votes have been taken away by Bill, or to such in whose places upon new Writs new Elections have been made:

3. As soon as His Majesty and both Houses may be secured from such tumultuous assemblies as, to the great breach of the Privileges and the high dishonour of Parliaments, have formerly assembled about both Houses, and awed the Members of the same, and occasioned two several complaints from the Lords House, and two several desires of that House to the House of Commons to joyn in a Declaration against them, the complying with which desire might have prevented all these miserable Distractions which have ensued ; which security His Majesty conceives can be onely settled by adjourning the Parliament to some other place at the least twenty miles from *London*, the choice of which His Majesty leaves to both Houses :

His

His Majesty will most chearfully and readily consent that both Armies be immediately disbanded, and give a present meeting to both His Houses of Parliament at the time and place at and to which the Parliament shall be agreed to be adjourned.

His Majesty being most confident that the Law will then recover the due credit and estimation, and that upon a free debate in a full and peaceable convention of Parliament, such provisions will be made against seditious Preaching and Printing against His Majesty and the established Laws, which hath been one of the chief causes of the present Distractions; and such care will be taken concerning the legal and known Rights of His Majesty, and the Property and Liberty of His Subjects, that whatsoever hath been published or done in or by colour of any illegal Declaration, Ordinance or Order of one or both Houses, or any Committee of either of them, and particularly the power to raise Arms without His Majesties Consent, will be in such manner recalled, disclaimed and provided against, that no seed will remain for the like to spring out of for the future, to disturb the Peace of the Kingdom, and to endanger the very Being of it.

And in such a Convention His Majesty is resolved by His readiness to consent to whatsoever shall be proposed to Him by Bill for the real good of His Subjects, (and particularly for the better discovery and speedier conviction of Recusants, for the education of the Children of Papists by Protestants in the Protestant Religion, for the prevention of practices of Papists against the State, and the due execution of the Laws, and true levying of the Penalties against them) to make known to all the World how causeless those Fears and Jealousies have been which have been raised against Him, and by that so distracted this miserable Kingdom.

And if this Offer of His Majesty be not consented to (in which He asks nothing for which there is not apparent Justice on His side, and in which He defers many things highly concerning both Himself and People, till a full and peaceable convention of Parliament, which in Justice He might now require) His Majesty is confident that it will then appear to all the World, not onely who is most desirous of Peace, and whose default it is that both Armies are not now dis-

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banded,

banded, but who hath been the true and first cause that this Peace was ever interrupted, or these Armies raised; and the beginning or continuance of the War, and the destruction and desolation of this poor Kingdom (which is too likely to ensue) will not by the most interested, passionate, or prejudicate person be imputed to His Majesty.

His MAJESTIES Questions before the Treaty,
and the Committees Answers, *March 25. 1643.*

*His MAJESTY desires to be answered these Questions
in writing, by the Committee of both Houses.*

1. **W**Hether they may not shew unto Him those Instructions (according to which they are to Treat and Debate with His Majesty upon the two first Propositions) of which the last Message from both Houses takes notice, and refers unto.

2. Whether they have power to pass from one Proposition to the other in the Debate, before His Majesty have exprest His mind concerning the Proposition first entred into.

3. Whether they have power to give an entire Answer to His Majesties first Proposition before His Majesties Reply to any part thereof, or to pass from any part of that Proposition to another part of the same before His Majesty hath given a Reply concerning that part.

4. Whether in case His Majesties Answer or Reply to any part of either Proposition do not satisfie them, they have power to send up that His Answer or Reply to both Houses, and proceed upon the debate of another part of the same.

5. Whether they have power to conclude these two Propositions.

6. Whether they have power to press or consent unto the execution of either of these two Propositions, or any part of them, till the whole Treaty be agreed upon.

Falkland.

The

The Committee of Lords and Commons appointed to attend His Majesty upon the Treaty, do humbly return these Answers to the Questions propounded by His Majesty.

March 25. 1643.

TO the First; They are enjoyned not to shew or discover their Instructions, or to give any Copy of them.

To the Second, concerning His Majesties first Proposition and the first Proposition of both Houses of Parliament; They humbly conceive they may pass from the one Proposition to the other, after that His Majesty hath given His Answer to the particular part of either Proposition that shall be in debate.

To the Third; They humbly conceive that they are to receive His Majesties Reply to that part of the Proposition to which they give their Answer, before they proceed to any other part of either Proposition.

To the Fourth; They humbly conceive, that when they have received His Majesties Answer or Reply to any part of either Proposition wherein they are not satisfied, they are to send that His Majesties Answer or Reply to both Houses, and in the mean time may proceed to another part of either Proposition.

To the Fifth; They humbly conceive they may conclude these two Propositions, if they be agreed unto according to their Instructions.

To the Sixth; They humbly conceive they may press and consent unto the execution of the two Propositions, according to their Instructions, before the whole Treaty be agreed upon.

Northumberland.

*J. Holland.
B. Whitelocke.*

*W. Pierrepont.
W. Armyne.*

The Papers concerning leave to repair to His Majesty.

March 27, 1643.

WHereas we humbly presented to Your Majesty several Answers to Your Majesties Demands in Your first Proposition, and in Reply to those Answers we have received several Papers from Your Majesty; our humble desires are that Your Majesty would be pleased to give us leave to repair unto You, for our further satisfaction upon any Doubts which shall arise amongst us in those Papers we have already received, or any other which we shall hereafter receive from Your Majesty, before such time as we shall transmit them to both Houses of Parliament.

Northumberland.

*John Holland.
B. Whitelocke.*

*W. Pierrepont.
W. Armyne.*

March 28, 1643.

HIS Majesty is well pleased that the Committee of both Houses repair unto Him for their further satisfaction upon any Doubts which shall arise amongst them in the Papers they have already received, or any other which they shall hereafter receive from His Majesty, and to which they shall not have acquiesced, before they transmit them to both Houses of Parliament.

Falkland.

The Papers concerning the Revenue.*March 26. 1643.*

TO that part of Your Majesties first Proposition, concerning Your Majesties own Revenue, we give this Answer ;

The two Houses of Parliament have not made use of Your Majesties own Revenue; but in a very smal proportion, which for a good part hath been employed in the maintenance of Your Majesties Children, according to the allowance established by Your Self. And the two Houses of Parliament will satisfie what shall remain due to your Majesty of those sums received out of Your Majesties own Revenue; and will leave the same to Your Majesty for the time to come.

We likewise humbly propose to Your Majesty, that You will restore what hath been taken for Your Majesties use, upon any of the Bills assigned to other purposes, by several Acts of Parliament, or out of the provision made for the Warre of Ireland.

Northumberland.

*Will. Pierrepont.
John Holland.*

*Will. Armyne.
B. Whitelocke.*

March 26. 1643.

HIS Majesty knows not what proportion of His Revenue hath been made use of by His two Houses Parliament, but He hath reason to believe that if much of it hath not been used, very much remains still in their hands, His whole Revenue being so seized and stopped by the Orders of one or both Houses, even to the taking away of His Money out of His Exchequer and Mint, and Bonds (forced from His Cofferers Clerks) for the Provision of His Majesties Household, that very little hath come to His Majesties use for His own support. He is well contented to allow whatsoever hath been employed in the maintenance of His Children, and to receive the Arrears due to himself, and to be sure of His own for the future.

He is likewise willing to restore all Moneys taken for His Majesties use by any Authority from Him, upon any Bills assigned to other purposes ; His Majesty being assured He hath received very little or nothing that way: and expects that satisfaction be made for all those several vast summes received and diverted to other purposes by Orders of one or both Houses, which ought to have been paid upon the Act of Pacification to His Subjects of Scotland, or employed for the discharge of the Debts of this Kingdom, and by other Acts of Parliament for the relief of His poor Protestant Subjects of Ireland.

*Falkland.**March*

March 27. 1643.

HIs Majesty desires to be resolved by the Committee from both Houses, whether their Proposition to His Majesty to restore what hath been taken for His Majesties use upon any of the Bills, &c. be a new demand, or a condition upon which only that is granted which goes before.

Falkland.

March 27. 1643.

WHereas Your Majesty desired to be resolved by us, whether the Proposition to Your Majesty to restore what hath been taken for Your Majesties use upon any of the Bills, &c. be a new demand, or a condition upon which only that is granted which goes before;

We humbly conceive it to be no new demand; but whether it be such a condition upon which only that which goes before is granted, we are not able to resolve.

Northumberland.

*W. Pierrepont.
W. Armyne.*

*Joh. Holland.
B. Whitelocke.*

March 27. 1643.

WHereas we have received Your Majesties Answer of the 26. of this instant to ours of the same date, concerning Your Majesties own Revenue;

We humbly desire to know of Your Majesty, if You will not account Your own Revenue to be sure for the future, if both Houses of Parliament do leave it in the same way as it was before these Troubles did begin.

Northumberland.

*W. Pierrepont.
W. Armyne.*

*J. Holland.
B. Whitelocke.*

March 27. 1643.

HIs Majesty did intend in His former Answer by those words [of being sure of His own for the future] that no restraints or interruptions should be made by one or both Houses in and upon His Majesties Revenue, but that it should be left in the same way it was before these Troubles did begin.

Falkland.

March 28. 1643.

WE shall transmit Your Majesties Answer to that part of Your Proposition concerning Your Revenue to both Houses of Parliament without farther Reply.

Northumberland.

*W. Pierrepont.
J. Holland.*

*B. Whitelocke.
W. Armyne.*

The

The Papers concerning the Magazines.*March 26. 1643.*

TO that part of Your Majesties first Proposition concerning Your Magazines, we humbly give this Answer;

That all the Arms and Ammunition taken out of Your Majesties Magazines; which shall remain in the hands of both Houses of Parliament, shall be delivered into Your Stores, and whatsoever shall be wanting, they will in convenient time supply in kinde, according to the proportions which they have received. We likewise humbly propose unto Your Majesty, that the persons to whose Charge those publick Magazines shall be committed, being nominated by Your Majesty, may be such as the two Houses of Parliament shall confide in: and that Your Majesty will restore all such Arms and Ammunition as have been taken for Your Majesties use from the several Counties, Cities and Towns.

*Northumberland.**W. Pierrepont.**W. Armyne.**Jo. Holland.**B. Whitelocke.**March 27. 1643.*

HIS Majesty is content that all the Arms and Ammunition taken out of His Magazines, which do now remain in the hands of both Houses, or of Persons employed by them, be forthwith delivered into such of His Stores as His Majesty shall appoint, and that whatsoever shall be wanting of the proportions taken out from thence by them be supplied by them with all convenient speed in kinde; which shall be committed to and continued in the custody of the sworn Officers, to whose places the same belongs: And if any of the said Officers shall have forfeited, or shall forfeit, that Trust by any misdemeanours, His Majesty will by no means defend them from the Justice of the Law.

For the restoring all such Armes and Ammunition as have been taken for His Majesties use from the several Counties, Cities and Towns, His Majesty being compelled to take them, His own being taken from Him, did it alwaies with this Caution and Promise to the places from whence He took them, that He would, by the blessing of God, restore them again, and make recompence out of His own Stores, as soon as it should be in His power; which promise He will make good to them, expecting that such Arms and Ammunition as have been taken from the several Counties, Cities and Towns, for the use of the Armies under the command of the Earl of *Essex*, be likewise restored to them.

*Falkland.**March*

March 28. 1643.

VHereas we have received Your Majesties Answer of the 27. of this moneth to ours of the 26. of this instant, concerning Your Majesties Magazines;

We humbly desire to know of Your Majesty what time you intend by the expression in the words [*be forthwith delivered.*]

We likewise humbly desire to know in what places Your Majesty would have Your Stores, and who are the sworn Officers Your Majestie intends, that, according to our Instructions, we may transmit their names to both Houses of Parliament.

Northumberland.

W. Pierrepont.

W. Armyne.

J. Holland.

B. Whitelocke.

March 28. 1643.

HIS Majestie intended by that Expression [*be forthwith delivered*] as soon as the Treaty shall be concluded and agreed on.

Falkland.

March 29. 1643.

THE place of Store into which His Majestie is content that the Armes and Ammunition taken out of His Magazines be delivered, is His Tower of *London*; and the Officers He intends, are such as by Patent ought to receive and keep the same.

Falkland.

March 29. 1643.

Concerning the Magazines.

VVE humbly desire, according to our Instructions, that the persons to whose charge the publick Magazines should be committed being nominated by Your Majestie, should be such as the Lords and Commons should confide in.

We not knowing whether the two Houses will confide in the persons Your Majesty mentions, must transmit their names to both Houses of Parliament, to receive their farther Instructions.

Northumberland.

W. Pierrepont.

W. Armyne.

J. Holland.

B. Whitelocke.

April 5. 1643.

HIS Majesty conceives His Answer concerning the persons to whose custody His Magazines shall be committed to be very clear and sufficient, and shall forbear any more particular Nomination

tion of them, the two Houses well knowing whether they have any just Exceptions to make against any of them; which if they have, His Majesty will leave them to the due course of Justice.

Falkland.

April 10. 1643.

BY Instructions yesterday received from both Houses of Parliament, we are commanded humbly to desire Your Majesty to make a further Answer to that Clause of the first Proposition which concerns the Magazines; and we are humbly to acquaint Your Majesty, that the two Houses of Parliament do not think fit to enlarge the time of the Treaty beyond the twenty daies formerly limited, to be reckoned from the five and twentieth of *March* last, which can admit no alteration or enlargement without manifold prejudice and danger to the whole Kingdome.

Northumberland.

*Will. Pierrepont.
Joh. Holland.*

*Will. Armyne.
B. Whitelocke*

April 14. 1643.

HIS Majesty having made several Answers to that Clause of the first Proposition which concerns the Magazines, knows not what Answer to make further, except He were informed what part of the Propositions made to Him was not clearly answered, or had reasons given Him to change and alter the Answer already made; neither of which is yet done. And He is very sorry that both Houses of Parliament have not thought fit to enlarge the power of the Committee, (whereby lesse time would have served for the Treaty) and are so absolutely resolved not to enlarge the time of the Treatie beyond the twenty daies, which (by Messages and attending the Instructions of the House) are so near spent, notwithstanding all possible readinesse in His Majesty, and which in truth might have ended all the Propositions, if sufficient authority had been given to the persons imployed to debate and conclude. Neither can His Majesty understand why an Alteration or Inlargement in the point of time cannot be admitted without manifold prejudice and danger to the whole Kingdom: He prays to God, that an aversenesse to such an Alteration and Inlargement may not prove an unspeakable prejudice and danger to the whole Kingdome.

Falkland.

The

The Papers concerning the Towns, Forts,
Cinque-Ports, &c.

March 27. 1643.

TO that part of Your Majesties first Proposition which concerns Your Majesties Towns and Forts, we humbly give this Answer ;

That the two Houses of Parliament will remove the Garrisons out of all Towns and Forts in their hands, wherein there were no Garrisons before these Troubles; and slight all Fortifications made since that time, and those Towns and Forts to continue in the same condition they were in before ; and that those Garrisons shall not be renewed, nor the Fortifications repaired, without Consent of Your Majesty and both Houses of Parliament.

That for those Towns and Forts which are within the Jurisdiction of the Cinque-ports, they shall be delivered up into the hands of such a Noble Person as Your Majesty shall appoint to be Warden of the Cinque-ports, being such a one as they shall confide in.

That the Town of *Portsmouth* shall be reduced to the number of the Garrison as was at the time when the Lords and Commons undertook the custody thereof; and such other Forts, Castles and Towns as were formerly kept by Garrisons, as have been taken by both Houses of Parliament into their care and custody since the beginning of these Troubles, shall be reduced to such proportion of Garrison as they had in the year 1636. and shall be so continued: and that all the said Towns, Forts and Castles shall be delivered up into the hands of such persons of quality and trust, to be likewise nominated by Your Majesty, as the two Houses of Parliament shall confide in.

That the Warden of the Cinque-ports, and all Governours and Commanders of Towns, Castles and Forts, shall keep the same Towns, Castles and Forts respectively for the Service of Your Majesty and the Safety of the Kingdome; and that they shall not admit into any of them any foreign Forces, or any other Forces raised without Your Majesties Authority and Consent of the two Houses of Parliament; and they shall use their utmost endeavours to suppress all Forces whatsoever raised without such Authority and Consent; and they shall seize all Armes and Ammunition provided for any such Forces.

They likewise humbly propose to Your Majesty, that you would remove the Garrisons out of *Newcastle*, and all other Towns, Castles and Forts, where any Garrisons have been placed by Your Majesty since these Troubles; and that the Fortifications be likewise slighted, and the Towns and Forts left in such state and condition as they were in in the year 1636.

That all other Towns, Forts and Castles, where there have been formerly Garrisons before these Troubles, may be committed to the charge of such persons, to be nominated by Your Majesty, as both Houses of Parliament shall confide in, and under such Instructions as are formerly mentioned.

And that those new Garrisons shall not be renewed, nor their Fortifications repaired, without Consent of Your Majesty and both Houses of Parliament.

Northumberland.

*Will. Pierrepont.
Jeh. Holland.*

*Will. Armyn.
B. Whitelocke.*

March 28. 1643.

HIS Majesty is content that all the Garrisons in any Towns and Forts in the hands of any persons imployed by the two Houses of Parliament, wherein there were no Garrisons before these
(B b) Troubles;

Troubles, be removed, and all Fortifications made since that time may be slighted; and those Towns and Forts shall for the future continue in the same condition they were in before.

For the Cinque-ports, they are already in the custody of a Noble person against whom His Majesty knows no just Exceptions, and who hath such a Legal Interest therein, that His Majesty cannot with Justice remove Him from it untill some sufficient Cause be made appear to Him; but is willing, if He shall at any time be found guilty of any thing that may make him unworthy of that Trust, that he may be proceeded against according to the rules of Justice.

The Town of *Portsmouth*, and all other Forts, Castles and Towns as were formerly kept by Garrisons, shall be reduced to their ancient proportion, and the government of them put into the hands of such persons against whom no just Exceptions can be made, all of them being before these Troubles by Letters Patents granted to several persons, against any of whom His Majesty knows not any Exceptions, and who shall be removed if just cause shall be given for the same.

The Warden of the Cinque-ports, and all Governors and Commanders of Towns, Castles and Forts, shall keep the same Towns, Castles and Forts, as by the Law they ought to doe, for His Majesties Service, and the Safety of the Kingdome; and they shall not admit into any of them Foreign Forces, or other Forces raised or brought in contrary to the Law, but shall use their utmost endeavour to suppress all such Forces, and shall seize all Armes and Ammunition which by the Laws and Statutes of the Kingdome they ought to seize.

The Garrisons of *Newcastle*, and all other Towns, Castles and Forts, in which Garrisons have been placed by His Majesty since these Troubles, shall be removed, and be all the Fortifications shall slighted, and the Towns and Forts left in such state and condition as they were in the year 1636.

All other Towns, Forts and Castles, where there have been formerly Garrisons before these Troubles, shall be committed to the charge of such persons and under such cautions and limitations as His Majesty hath before exprest.

And no new Garrisons shall be renewed, nor their Fortifications repaired, otherwise then as by the Lawes and Statutes of the Kingdome they may or ought to be.

Falkland.

March

March 29. 1643.

Concerning the appointing of the Warden of the Cinque-ports, and Governours of Your Majesties Towns, Castles and Forts, we humbly desire to know if Your Majesties Reply doth intend, that both Houses of Parliament may expresse their Confidence of the persons to whose trust those places are to be committed, for that we are directed by our Instructions, that if Your Majesty be pleased to assent thereunto, that You would nominate persons of Quality to receive the charge of them, that we may forthwith certifie both Houses of Parliament, that thereupon they may expresse their Confidence in those persons, or humbly beseech Your Majesty to name others; none of which persons to be removed during three years next ensuing, without just cause to be approved by both Houses of Parliament; and if any be so removed, or shall dy within the said space, the persons to be put in the same Offices shall be such as both Houses shall confide in.

We humbly desire to know if Your Majesty intends the Garrison of *Portsmouth*, to be off ch a proportion as it was about the year 1641. about which time a new supply was added to the former Garrison to strengthen it, which both Houses of Parliament think necessary to continue.

We humbly desire Your Majesty would be pleased to give a more full Answer to this Clause, that they should not admit into them any forein or other Forces, *Raised without Your Majesties Authority and Consent of the two Houses of Parliament*, and that they shall use their utmost endeavours to suppress all Forces whatsoever, *Raised without such Authority and Consent*, and that those Garrisons should not be renewed, or their Fortifications repaired, without Consent of Your Majesty and both Houses of Parliament.

Northumberland.

J. Holland.
W. Armyne.

B. Whitelocke.
Will. Pierrepont.

April 5. 1643.

His Majesty doth not intend that both Houses of Parliament shall expresse their Confidence of the persons to whose trust the Cinque-ports or other His Majesties Towns, Castles and Forts now are or shall be committed; but only that they shall have liberty upon any just Exceptions to proceed against any such persons according to Law; His Majesty being resolved not to protect them against the publick Justice. And well knowing that when any of those places shall be void, the Nomination and free Election is a Right belonging to and inherent in His Majesty, and having been enjoyed by all His Royal Progenitors, His Majesty will not believe that His wel-affected Subjects will desire to limit Him in that Right.

His Majesty intends the Garrison of *Portsmouth* to be of such a proportion as it was in the year 1641. except He finds good cause to enlarge or diminish that proportion.

His Majesty cannot give a more full Answer to that Clause concerning the admission of Forces into any of His Forts, Castles & Towns, then He hath already given, His Majesty having therein made the

Laws and Statutes of the Kingdom the Rule of what is or what is not to be done, which will be alwayes the most impartial Judge between Him and His People.

Falkland.

April 10. 1643.

BY Instructions yesterday received from both Houses of Parliament, we are commanded humbly to desire another Answer from Your Majesty concerning the Cinque-ports, Towns, Forts and Castles; Your Majesties former Answers concerning them being in the most material points express Denials, as both Houses of Parliament understand them.

Northumberland.

*J. Holland.
W. Armyne.*

*W. Pierrepont.
B. Whitelocke.*

April 14. 1643.

HIS Majesty will not at this time remember the many Acts of Grace and Favour He hath passed this Parliament for the good of His People; but He must say, He hath not denied any one thing proposed to Him by both Houses, which in Justice could be required of Him, or in Reason expected; and He hath been and is still so unwilling to give a denial to both His Houses, that as they shall be sure to receive none to any Proposition they shall make of right, so in matters of Grace and Favour He shall be willing to receive any information and reason which at any time may invite him to consent: and therefore will gladly receive any Reason from the Committee or both Houses, which may induce His Majesty to give another Answer then what He hath already given in the point of the Cinque-ports, Forts & Castles; but till such be given, He cannot consent to dispossess any of His Servants of what they are legally possess of, without a just Cause exprest, or to quit His own Right of sole disposing of their Commands, no other cause yet appearing to Him, then that the places they command have been taken from Him.

Falkland.

April 14. 1643.

Your Majesty, in one of Your Papers this day delivered unto us, mentions that You would gladly receive any Reason from both Houses or their Committee, which may induce Your Majesty to give another Answer then what You have already given in the point of the Cinque-ports, Forts, Castles and Magazines.

We did, according to our Instructions, humbly desire Your Majesty that the Cinque-ports, Forts and Castles might be put into the hands of such Noble persons and persons of quality and trust, to be nominated by Your Majesty, as the two Houses of Parliament should confide in, and to be kept for Your Majesties Service, and the Safety of the Kingdom, that no Foreign Forces, or other Forces raised without Your Majesties Authority and Consent of the two Houses of Parliament, should be admitted into any

any of them, and the Commanders to use their utmost endeavours to suppress all Forces raised without such Authority and Consent, and to seize all Armes and Ammunition provided for any such Forces:

Unto which we humbly desire Your Majesties Gracious Assent, and to our other desires concerning Your Majesties first Proposition and the first Proposition of both Houses of Parliament, for that we humbly conceive Your Consent thereunto will be the best means for such a Peace to be made as will be safe, firm and lasting; the which is not to be hoped for, except there be a cure for Fears and Jealousies, for which an apparent Remedy is, to disband all Forces, and the same to be so mutually done, as neither part to have any Force remaining of which the other may be jealous or in fear. But if for other causes not concerned in these unhappy Differences, Forces are to be retained, as in the Cinque-ports, and in some Forts, Towns and Castles, for the Defence of the whole Kingdom against foreign Enemies, that then the same may remain in the hands of such persons, with such powers, as both parts might believe themselves secure: for if the same places were considered in relation only to these unnatural Distempers, and to the settling thereof, the Forces in them were likewise to be disbanded.

Northumberland.

*J. Holland.
W. Pierrepont.*

*W. Armyne.
B. Whitelocke.*

April 15. 1643.

AS His Majesty was and is very desirous to receive any Reason from both Houses or their Committee, which might induce His Majesty to give other Answers, if what He hath or shall give do not satisfy; so He rather expected those Reasons should have had their foundation in the Law of the Land, and have shewed Him that by Law He had not the Right He pretended, or that by that, or by some fundamental Law, they had a Right superiour to His in what was now in question, or have shewed Him some Legal Reason why the Persons trusted by Him were incapable of that trust, then only have insisted upon Fears and Jealousies, of which as He knows not the Ground, so He is ignorant of the Cure. But this His Majesty knows, that if readiness to acknowledge, retract and provide against for the future, any thing of error that hath hapned against Law, and having actually passed more important Bills, and parted with more of His known Rights for the satisfaction of His Subjects, then not only any one, but all His Predecessors, would have been thought a sufficient Remedy for Fears and Jealousies, the Kingdom might still have enjoyed a safe, firm and lasting Peace, and those would not first have been made a reason to seize upon His Rights, and then after have been made an Argument to perswade Him to part with them. And His Majesty wonders the Committee should not see that this Argument might extend to

the depriving Him of, or at least sharing with Him in, all His just Regal Power (since Power as well as Forces may be the object of Fears and Jealousies, and there will be alwaies a power left to hurt, whilst there is any left to protect and defend;) and that if those Rights which He received from His Predecessors were really so formidable, that would have been more feared before which is now feared so much, and His Forts and Castles would either not have been attempted, or at least have enabled Him to defend and keep them, and have kept this from being a Question now between them. Which since they could not doe, His Majesty (if He had as much inclination, as He hath more right, to Fears and Jealousies) might have more reason to insist upon some addition of Power, as a security to enable Him to keep His Forts when He hath them, then they to make any difficulty to restore them to Him in the same condition they were before. But as His Majesty contents Himself with, so, He takes God to witness, His greatest desire is alwaies to observe and maintain, the Law of the Land, and expects the same from His Subjects, and believes the mutual observance of that Rule, and neither of them to fear what the Law fears not, to be on both parts a better Cure for that dangerous Disease of Fears and Jealousies, and a better means to establish a happy and perpetual Peace, then for His Majesty to devest Himself of those Trusts which the Law of the Land hath settled in the Crown alone, to preserve the Power and Dignity of the Prince, for the better Protection of the Subject and of the Law, and to avoid those dangerous Distractions which the interest of any Sharers with Him would have infallibly produced.

Falkland.

The Papers concerning the Ships.

March 27. 1643.

TO that part of Your Majesties first Proposition which concerns Your Ships, we humbly give this Answer;

That the Ships shall be delivered into the charge of such a Noble person as Your Majesty shall nominate to be Lord High-Admiral of *England*, and the two Houses of Parliament confide in, who shall receive the same Office by Letters Patents, *quamdiu se bene gesserit*, and shall have power to nominate and appoint all subordinate Commanders and Officers, and have all other powers appertaining to the Office of High-Admiral; which Ships he shall employ for the defence of the Kingdom against all forein Forces whatsoever, and for the safeguard of Merchants, securing of Trade, and

and the guarding of *Ireland*, and the intercepting of all Supplies to be carried to the Rebels; and shall use his utmost endeavour to suppress all Forces which shall be raised by any person without Your Majesties Authority and Consent of the Lords and Commons in Parliament, and shall seize all Arms and Ammunition provided for supply of any such Forces.

Northumberland.

W. Pierrepont.

W. Armyne.

J. Holland.

B. Whitelocke.

March 28. 1643.

HIS Majesty expects that His own Ships be forthwith delivered to Him, as by the Law they ought to be. And when He shall please to nominate a Lord High-Admiral of *England*, it shall be such a Noble person against whom no just Exception can be made; and if any shall be, His Majesty will alwayes leave him to his due trial and examination, and grant his Office to him by such Letters Patents as have been used: In the mean time His Majesty will govern the said Admiralty by Commission, as in all times hath been accustomed. And whatever Ships shall be set forth by His Majesty or His Authority, shall be employed for the defence of the Kingdom against all Forein Forces whatsoever, for the safeguard of Merchants, securing of Trade, guarding of *Ireland*, and the intercepting of all Supplies to be carried to the Rebels; and shall use their utmost endeavours to suppress all Forces which shall be raised by any Person whatsoever against the Laws and Statutes of the Kingdom, and to seize all Arms and Ammunition provided for the supply of any such Forces.

Falkland.

March 29. 1643.

WE humbly desire Your Majesty would be pleased to give a more full Answer to the Clause for the Ships to be delivered into the charge of such a Noble person as Your Majesty shall nominate to be Lord High-Admiral of *England*, and the two Houses of Parliament confide in, who shall receive the same Office by Letters Patents, *quamdiu se bene gesserit*.

And to that Clause, to suppress all Forces which shall be raised by any person without Your Majesties Authority and Consent of the Lords and Commons in Parliament.

Whereunto if Your Majesty shall be pleased to give Your Assent, we conceive we are then directed by our Instructions, humbly to desire Your Majesty to nominate such a Noble person to be Lord High-Admiral of *England*, that we may forthwith certify both Houses of Parliament, that thereupon they may express their confidence in that Person, or humbly beseech Your Majesty to name another; and that in case such Noble person, who shall be appointed to be Lord High-Admiral of *England*,

(B b 4)

shall

shall be removed, or shall die within the space of three years next ensuing, that the Person to be put in the same Office shall be such as both Houses shall confide in.

Northumberland.

*W. Pierrepont.
W. Armyne.*

*J. Holland.
B. Whitelocke.*

April 5. 1643.

HIS Majesty conceives His former Answer of the 28. of *March*, concerning His Ships, to be so full, that He can adde nothing thereunto in any part of it.

His Majesty conceiving it all the Justice in the world for Him to insist, that what is by Law His own, and hath been contrary to Law taken from Him, be fully restored unto Him, without conditioning to impose any new limitation upon His Majesty or His Ministers, which were not formerly required from them by Law; and thinking it most unreasonable to be prest to diminish His own just Rights Himself, because others have violated and usurped them.

Falkland.

April 10. 1643.

BY Instructions yesterday received from both Houses of Parliament, we are commanded humbly to insist upon the desires of both Houses expressed in our former Papers concerning the Ships: And both Houses of Parliament do observe in Your Majesties Answer, not onely a Denial to all their Desires, but likewise a Censure upon their Proceedings.

Northumberland.

*W. Pierrepont.
W. Armyne.*

*J. Holland.
B. Whitelocke.*

April 14. 1643.

HIS Majesty for the present forbears any farther Answer touching His Ships, desiring first to receive the Answer of both Houses to His Message of the twelfth of this moneth: But His Majesty will howsoever, before their departure hence, give them a further Answer.

*Inserted before
Pag. 268.*

Falkland.

April

April 15. 1643.

HIS Majesty gave so clear a Reason to justifie what He insisted upon in the point of the Ships, that He cannot but wonder to see the same again prest to Him; and yet both the Reason He gave left unanswered, and no other Reason opposed to weigh against it. His Majesties end in this was not to lay any Censure upon their Proceedings; but it being necessary to the matter in question for His Majesty to say what had been done, and the matter of fact being such as it seems could not be repeated but it must appear to be censured, His Majesty did not think Himself bound to be so tender of seeming to censure their Proceedings, as by waving His own true reasonable Justifications, to leave His own naked and exposed to a general Censure. And His Majesty hopes, that since they esteem His saying, that they have taken His Ships from Him contrary to Law, to be a Censure, they will either produce that Law by which they took them, or free themselves from so just and unconfutable a Censure by a speedy and unlimited Restauration. Upon which Demand His Majesties care of His ancient and undoubted Rights doth oblige Him to insist. And when His Majesty shall think fit to make an Admiral, as near as He can, He shall be such an one against whom no just Exception can be made; and if any shall be offered, He will readily leave him to the trial of the Law.

Falkland.

The Papers concerning an Oath for Officers.

March 29. 1643.

WE are humbly to desire Your Majesty, that all Generals and Commanders in any of the Armies on either side, as likewise the Lord Admiral of *England*, the Lord Warden of the Cinque-Ports, all Commanders of any Ships, and Commanders of any Town, Castle or Fort, may take an Oath to observe the Articles formerly mentioned, and to use their utmost power to preserve the true Reformed Protestant Religion, and the Peace of the Kingdom, against all Forein Forces, and all other Forces raised without Your Majesties Authority and Consent of the two Houses of Parliament.

Northumberland.

*W. Pierrepont.
W. Armyne.*

*J. Holland.
B. Whitelocke.*

April

April 5. 1643.

HIS Majesty conceives the Oaths which all those Officers are already by Law obliged to take, to be very fully sufficient: But if any thing shall be made appear unto Him necessary to be added thereunto, when there shall be a full and peaceable Convocation in Parliament, His Majesty will readily consent to an Act for such an addition.

*Falkland.**April 10. 1643.*

BY Instructions yesterday received from both Houses of Parliament, we are commanded humbly to inform Your Majesty, that both Houses of Parliament conceive the ordinary Oaths of the Officers, mentioned in Your Answer concerning the same, are not sufficient to secure them against the extraordinary causes of Jealousie which have been given them in these troublesome times; and that Your Majesties Answer layes some tax upon the Parliament, as if defective, and thereby incapable of making such a provisional Law for an Oath: Therefore we are humbly to insist upon our former desires for such an Oath as is mentioned in those Papers which we have formerly presented to Your Majesty concerning this matter.

*Northumberland.**John Holland.
W. Armyne.**W. Pierrepont.
B. Whitelocke.**April 14. 1643.*

HIS Majesty did not refuse by His former Answer to consent to any such Oath as shall be thought necessary, though He did, and doth still, conceive the Oaths already settled by Law to be sufficient; neither did He ever suppose the Parliament incapable of making a provisional Law for such an Oath: but as He would be willing to apply any proper remedy to the extraordinary causes of Jealousies, if He could see that there were such causes; so He will be alwayes most exact in observing the Articles agreed on in preserving the true Reformed Protestant Religion, and the Peace of the Kingdom against forein Forces, and other Forces raised or imployed against Law. And when both Houses shall prepare and present such an Oath as they shall make appear to His Majesty to be necessary to those ends, His Majesty will readily consent to it.

*Falkland.**The*

The Papers concerning the disbanding
of the Armies.

March 28. 1643.

*His Majesties Answer to the first Proposition of both His
Houses of Parliament.*

HIS Majesty is as ready and willing that all Armies be disbanded, as any person whatsoever, and conceives the best way to it to be a happy and speedy conclusion of the present Treaty, which (if both Houses will contribute as much to it as His Majesty shall doe) will be suddenly effected. And that this Treaty may the sooner produce that effect, His Majesty desires that the time given to the Committee of both Houses to treat, may be enlarged.

And as His Majesty desires nothing more then to be with His two Houses, so He will repair thither as soon as He can possibly doe it with His Honour and Safety.

Falkland.

March 29. 1643.

WE are directed by our Instructions humbly to desire Your Majesties speedy and positive Answer concerning the Disbanding of the Armies: to which if Your Majesty be pleased to assent, we are then to beseech Your Majesty in the name of both Houses, that a near day may be agreed upon for the disbanding of all the Forces in the remote parts of *Yorkshire* and the other Northern Counties, as also in *Lancashire*, *Cheshire*, and in the Dominion of *Wales*, and in *Cornwall* and *Devonshire*; and they being fully disbanded, another day may be agreed on for the disbanding of all Forces in *Lincolnshire*, *Nottinghamshire*, *Leicestershire* and all other places, except at *Oxford* and the Quarters thereunto belonging, and *Windsor* and the Quarters thereunto belonging; and that last of all, a speedy day may be appointed for the disbanding of those two Armies at *Oxford* and *Windsor*, and all the Forces members of either of them.

That some Officers of both Armies may speedily meet to agree of the manner of the disbanding, and that fit persons may be appointed by Your Majesty and both Houses of Parliament, who may repair to the several Armies, and see the disbanding put in speedy execution accordingly.

Northumberland.

*W. Pierrepont.
F. Holland.*

*W. Armyne.
B. Whitelocke.*

March

March 29. 1643.

Concerning Your Majesties Answer to the Proposition of both Houses for Disbanding of the Armies,

We humbly desire to know, if by the words, [*By a happy and speedy Conclusion of the present Treaty,*] Your Majesty do intend a Conclusion of the Treaty on Your Majesties first Proposition, and their Proposition for Disbanding the Armies, or a Conclusion of the Treaty in all the Propositions of both parts.

We have given speedy notice to both Houses of Parliament of Your Majesties desires, that the time given to the Committee of both Houses to treat may be enlarged. To the last Clause we have no Instructions.

Northumberland.

*Will. Pierrepont.
Will. Armyne.*

*Joh. Holland.
B. Whitelocke.*

April 5. 1643.

HIS Majestie intended by the words, [*By a happy and speedy Conclusion of the Treaty*] such a Conclusion of or in the Treaty, as there might be a clear evidence to Himself and His good Subjects of a future Peace, and no ground left for the continuance or growth of these bloody Dissentions; which He doubts not may be obtained, if both Houses shall consent that the Treaty may proceed without further interruption or limitation of daies.

*Falkland.**April 5. 1643.*

WHEN the time for disbanding the Armies shall be agreed upon, His Majesty well approves that some Officers of both Armies may speedily meet to agree of the manner of Disbanding, and that fit persons may be appointed by His Majesty and both Houses of Parliament, who may repair to the several Armies, and see the disbanding speedily put in execution accordingly.

*Falkland.**April 6. 1643.*

WE humbly desire to know, if by the words [*By a happy and speedy conclusion of the present Treaty*] Your Majesty intends a Conclusion of the present Treaty on Your Majesties first Proposition, and the Proposition of both Houses for Disbanding of the Armies, or a Conclusion of the Treaty on all the Propositions of both parts.

And

And what Your Majesty intends to be a clear evidence to Your Self and Your good Subjects of a future Peace, and no ground left for the continuance or growth of these bloody Diffentions.

W. Pierrepont.

W. Armyne.

Northumberland.

J. Holland.

B. Whitelocke.

April 6. 1643.

HIS Majesty desires to know from the Committee of both Houses whether they acquiesce with His Majesties Replies to their Answers concerning His first Proposition, which yesterday they received from Him, and to which they have yet made no return.

His Majesty likewise desires to know, whether they have yet received power and Instructions to treat with His Majesty concerning His Return to His two Houses of Parliament, which is a part of the first Proposition of both Houses.

Falkland.

April 6. 1643.

WE shall transmit Your Majesties Replies to our Answers concerning Your first Proposition to both Houses of Parliament, without farther Reply.

We likewise humbly answer, that we have not received any power or Instructions to treat with Your Majesty concerning Your Return to Your two Houses of Parliament, but we assure our selves they will give Your Majesty satisfaction therein.

Joh. Holland.

Will. Pierrepont.

Northumberland.

Will. Armyne.

B. Whitelocke.

April 7. 1643.

HIS Majesty conceives His Answers already given (for He hath given two) to be very clear and significant. And if the Conclusion of the present Treaty on His Majesties first Proposition and the Proposition of both Houses shall be so full and perfectly made, that the Law of the Land may have a full, free and uninterrupted Course, for the defence and preservation of the Rights of His Majesty, both Houses, and His good Subjects, there will be thence a clear evidenceto His Majesty and His good Subjects of a future Peace, and no ground left for the continuance and growth of these bloody Diffentions, and it will be such a Conclusion as His Majesty intended.

His Majesty never intending that both Armies should remain

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undis-

undisbanded untill all the Propositions of both sides were fully concluded. But His Majesty is very sorry that in that point of the first Proposition of both Houses, which hath seemed to be so much wished, and which may be so concluded as alone much to conduce to the evidence desired, (*viz.* His Return to both Houses, to which His Majesty in His Answer hath expressed Himself to be most ready whensoever He may doe it with Honour and Safety) they have yet no manner of power nor Instructions so much as to treat with His Majesty.

Falkland.

April 7. 1643.

WE have not transmitted Your Majesties Answer to the Proposition of Disbanding, wherein Your Majesty mentions Your Self to be most ready to return to both Houses of Parliament, whensoever you may doe it with Honour and Safety. for that we humbly conceive, we were to expect Your Majesties Answer to that Proposition this day received, before we could give a due accompt thereof to both Houses of Parliament, the which we will presently send away without farther Reply.

Northumberland.

*J. Holland.
W. Pierrepont.*

*W. Armyne.
B. Whitelock.*

April 8. 1643.

* were
presently.

BY Instructions this day received from both Houses of Parliament, we humbly conceive that we are to acquaint Your Majesty, That they have taken into consideration Your Majesties Answer to their Reasons concerning the Cessation, wherein there are divers expressions which will occasion particular Replies, which at this time they desire to decline, their wishes and endeavours being earnestly bent upon the obtaining a speedy Peace; for which cause they do not think good to consume any more of the time allowed for the Treaty in any farther debates upon the Cessation, concerning which they find Your Majesties expressions so doubtful, that it cannot be suddenly or easily resolved, and the remainder of the time for the whole Treaty being but seven dayes, if the Cessation were * not presently agreed, it would not yield any considerable advantage to the Kingdome.

Wherefore we are required to desire Your Majesty to give a speedy and positive Answer to the first Proposition concerning the Disbanding, that so Your Subjects may not only have a shadow of Peace in a short time of Cessation, but the substance of it in such manner as may be a perpetual blessing to them, by freeing the Kingdom from these miserable effects of Warre, the effusion of *English* blood, and desolation of many parts of the Land.

Northumberland.

*Joh. Holland.
Will. Pierrepont.*

*Will. Armyne.
B. Whitelocke.*

April 10. 1643.

BY Instructions yesterday received from both Houses of Parliament, we are commanded humbly to insist upon that part of the first Proposition of both Houses of Parliament concerning the Disbanding, according to the Papers we have formerly presented to your Majesty thereupon: and we are humbly to acquaint Your Majesty,
That

[His Majesties
Message
replying to
this Paper
is inserted
before,
p. 264.]

That both Houses of Parliament do conceive Your Majesties Answer concerning the Disbanding to be in effect a Denial, unless they desert all those Cautions and Limitations which they have desired in their Answer to Your Majesties first Proposition.

Northumberland.

*Will. Pierrepont.
Joh. Holland.*

*Will. Armyne.
B. Whitelocke.*

April 10. 1643.

BY Instructions from both Houses of Parliament yesterday received, we are commanded to declare unto Your Majesty the desire of both Houses for Your Majesties coming to Your Parliament, which they have often expressed with full offers of Security to Your Royal Person, agreeable to their Duty and Allegiance; and they know no cause why Your Majesty may not return thither with Honour and Safety: but they did not insert it into our Instructions, because they conceived the disbanding of the Armies would have facilitated Your Majesties Resolution therein; which they likewise conceived was agreeable to Your Majesties sense, who in declaring Your consent to the order of the Treaty, did onely mention that part of the first Proposition which concerned the Disbanding, and did omit that which concerned Your Majesties coming to both Houses of Parliament.

Northumberland.

*Will. Pierrepont.
Joh. Holland.*

*Will. Armyne.
B. Whitelocke.*

April 14. 1643.

HIS Majesty had great reason to expect, that as He answered to every part of the first Proposition of both Houses, so the Committee should likewise have had power and Instructions to Treat with His Majesty concerning both parts of the same: nor had the Houses any reason to suppose their course agreeable to His Majesties sense, for His Majesty in declaring His consent to the order of the Treaty, indeed mentioned their first Proposition by the style of the first Proposition which concerned Disbanding, but did not style it that part of the first Proposition which concerned Disbanding, as, if He had meant to have excluded any part of that Proposition from being treated on, He would and ought to have done. But though His Majesties Answers in the point of Disbanding and Return to His Parliament were as particular and as satisfactory as His Majesty had cause to make, or could well give, till this latter part were consented to be Treated upon; yet out of His great desire of Peace, and of complying with both Houses, His Majesty hath made a full and particular Answer and Offer to both Houses concerning as well the first part of their first Article, upon which He hath Treated with the Committee, as that upon which they have yet no power to Treat, though His Majesty hath prest that such power might be given to them.

*In His Message
of April 12.
pag. 268.*

Falkland.

(C c 2)

April

April 14. 1643.

WE received Instructions from both Houses of Parliament the ninth of this present *April*, and in pursuance thereof, we humbly presented a Paper to Your Majesty upon the tenth of this instant, wherein those Instructions were expressed, and the desire of both Houses concerning Your Majesties return to Your Parliament.

Northumberland.

*Will. Pierrepont.
Joh. Holland.*

*Will. Armyne.
B. Whitelocke.*

April 15. 1643.

HIS Majesty doth acknowledge to have received a Paper from the Committee upon the tenth of *April*, expressing, that they had received Instructions, to declare unto His Majesty the desire of both Houses for His Majesties coming to his Parliament, which they had often exprest with full offers of security to His Royal Person, agreeable to their Duty and Allegiance; and that they know no cause why His Majesty might not return thither with Honour and Safety. But as the Committee had before acknowledged in a Paper of the sixth of *April*, not to have any power or Instructions to Treat with His Majesty concerning His Return to His two Houses of Parliament, and as this Paper mentioned no Instructions to treat, but onely to deliver that single Message concerning it; so His Majesty took it for granted, that if they had received any new power or Instructions in that point, they would have signified as much to Him: and therefore conceiving it in vain to discourse, and impossible to treat upon that with those who had no power to treat with Him, His Majesty addrest that Answer concerning that point to both Houses, of which His Majesty took notice to the Committee in a Paper of the fourteenth of *April*, and which was shewed to them before He sent it. And if both Houses will upon it but consent, to give His Majesty such Security as will appear to all indifferent Persons to be agreeable to their Duty and Allegiance (those Tumults which drove Him from thence, and what followed those Tumults, being a most visible and sufficient Reason why He cannot return thither with His Honour and Safety, without more particular offers of Security then as yet they have ever made Him) all disputes about that point between them will be soon ended, and His Majesty speedily return to them, and His whole Kingdom to their former Peace and Happiness.

Pag. 268.

Falkland.

[*The Message mentioned in the two last Papers of His Majesty is that of the 12 of April, p. 268. Upon the receipt of which the Two Houses presently recalled their Committees.*]

His

His MAJESTIES Letter to the Queens Majesty.
Oxford, 23 Jan. 2 Feb.

Dear Heart,

S Aturday and Sunday last I received two from Thee, of the 29 of December, 9 of January, both which gave Me such Contentment, as Thou mayest better judge then I describe: the which that Thou mayest the better doe, know, I was full three weeks, wanting but one day, without hearing from Thee; besides scurvy London news of Thy stay and lameness, which though I did not believe, yet it vext Me so much the more, that I could not prove them liars. So now I conjure Thee by the Affection Thou bearest Me, not onely to judge, but likewise participate with Me in the Contentment Thou hast given Me by assuring Me of Thy health and speedy return. Concerning 45.31.7. 4. 132.300. I will answer Thee in Thy own words, *Je le remettray a vous respondre per bouche*, being confident that way to give Thee contentment: In the mean time assure Thy self, that I neither have, nor will loose any time in that business, and that I have not contented My Self with Generals. And though I hope shortly to have the happiness of Thy company, yet I must tell Thee of some particulars, in which I desire both Thy opinion and assistance. I am persecuted concerning Places, and all desire to be put upon Thee, for the which I cannot blame them; and yet Thou knowest I have no reason to doe it. Newark desireth Savil's place, upon condition to leave it when his Father dieth; Carenworth the same, being contented to pay for it, or give the profit to whom or how I please: Digby and Dunsmore for to be Captain of the Pentioners; Hartford once looked after it, but now I believe he expects either to be Treasurer, or of My Bed-chamber; I incline rather to the latter, if Thou like it, for I absolutely hold Cottington the fittest man for the other. There is one that doth not yet pretend, that doth deserve as well as any, I mean Capell; therefore I desire Thy assistance to finde somewhat for him before he ask. One place I must fill before I can have Thy opinion; it is the Master of the Wards. I have thought upon Nicholas, being confident that Thou wilt not mislike My choice: and if he cannot perform both, Ned Hyde must be Secretary, for indeed I can trust no other. Now I have no more time to speak of more, but to desire Thee not to engage Thy Self for any. So I rest,

Eternally Thine,

Dated Oxford,
2 Feb. 23 Jan.

(C c 3)

C. R.

My Lord,

I*t is His Majesties pleasure, that there be something attempted upon the Castle of Warwick; therefore you are to send as many Musquetiers as you can horse, with the Prince of Wales his Regiment of Horse, and your own: this bearer La Roche will bring Petarrs, and all things necessary for them: you must march to morrow in the Evening, to be there before break of the day on Saturday.*

Oxford, 2 of March,
1643.

Your faithful Friend,
Rupert.

For the Earl of Northampton at Banbury.

My Lord,

I*Have acquainted the King with the hinderance you have in your desire. He was pleased to command me to tell you, that your Lordship should send one of your Scouts to enquire if Ingram be in the Castle: if he be, you may safely go on with your designe; for knowing but of your coming, he will make but little or no resistance, and the sooner the better. If after this you should think it feisible to raise the siege at Litchfield, you have also that power to doe it. This bearer will inform you with some other particulars. So I rest,*

Oxford, the 3 of March,
at 12 at night.

Your Lordships most faithful Friend,
Rupert.

To the Earl of Northampton, Rupert.

His MAJESTIES Letter to the Queen.

Dear Heart,

T*hough ever since Sunday last I had good hopes of Thy happy Landing, yet I had not the certain news thereof before yesterday; when I likewise understood of Thy safe coming to York. I hope Thou expectest not welcome from Me in words; but when I shall be wanting in any other way (according to My wit and power) of expressing My Love to Thee, then let all honest men hate and eschew Me like a Monster: And yet when I shall have done My part, I confess that I shall come short of what Thou deservest of Me.*

H 3.

H 3. 189. *e*. 3. 42. 17. 25. 27. 39. 21. 66. *a*. 1. 45. 31. 7. 4. 32. 18. 47. 46. 9. 3. *d*. 4. 8. 4. 46. 35. 67. 48. 7. 40. 5. 43. 74. 3. 41. 7. 33. 62. 8. 63. 68. 50. 64. 34. 9. 51. 45. 69. 46. 37. *dear* 45. 31. 7. 1. 33. 18. 49. 47. 19. 21. 10. 70. 13. 7. 45. 58. 8. 9. 41. 10. *this a* 2. 324. *in the mean time* 46. 31. 7. 50. *e*. 3. 20. 3. 6. 8. 48. 75. 41. 9. 2. *upon* 60. 19. 50. 61. 27. 26. 7. 69. 12. 19. 47. 45. 8. 24.

Yesterday there were Articles of a Cessation brought Me from London, but so unreasonable that I cannot grant them: yet to undeceive the people by shewing it is not I, but those who have caused and fostered this Rebellion, that desire the continuance of this Warre and universal Distraction, I am framing Articles fit for that purpose; both which, by My next, I mean to send Thee.

219. *b*. 3. 58. 51. 75. 46. 7. 3. 45. 37. 2. 189. 46. 38. 1. *g*. 1. 173. 131. *which I think fit to be done*, *a*. 5. 4. 30. 3. *n*. 5. *d*. 3. 46. 31. 8. 10. 2. 32. 18. 64. 7. 3. 45. 31. 9. 66. 46. 32. 19. 41. 25. 48. *k*. 1. *e*. 4. 67. 69. 63. I am now confident that 173. is right for My service.

Since the taking of *Cicester* there is nothing of note done of either side, wherefore that little news that is, I leave to others. Onely this I assure Thee, That the distractions of the Rebels are such, that so many fine designs are laid open to us, We know not which first to undertake. But certainly My first and chiefest care is, and shall be, to secure Thee, and hasten Our meeting. So longing to hear from Thee, I rest, eternally Thine,

Oxford, $\frac{12}{2}$ March, 164 $\frac{3}{2}$.

C. R.

The last I received of Thine was dated the $\frac{16}{6}$ Febr. and I believe none of My four last are come to Thee. Their Dates are $\frac{13}{3}$. $\frac{23}{13}$. $\frac{25}{15}$. Febr. and 20 Febr. or March the 2.

MDCXLIII. *A Declaration of the Lords and Commons assembled in Parliament upon the Proceedings in the late Treaty, and the aforesaid Letters.*

THE Lords and Commons assembled in Parliament, being deeply afflicted with a sorrowful sense of the miserable Distractions of this Kingdom, overwhelmed with the Calamities of the worst kinde of Warre, have by several Petitions and many humble Addresses to His Majesty besought Him, by removing the Causes thereof, to put an end thereunto: And although all their endeavours have not only proved fruitless, but some of their Petitions received a denial even of Audience, (a favour not denied to the Rebels of *Ireland*) which might very well justifie them before God and man to decline any further prosecution that way, especially in a case where themselves and the Kingdom are the parties injured and oppressed; yet their bowels did so much yearn after a happy Peace, that they resolved, notwithstanding their former discouragements, to break through all difficulties, and yet once more most humbly to represent to His Majesty the miserable Distempers of His two Kingdoms of *England* and *Ireland*, and, if possibly they could, to encline His Royal heart, really to act what He hath so often verbally professed, *To compose those unhappy Distractions, and restore His People to a blessed and lasting Peace.* And for that purpose, about the first of *February* last, they in all humbleness presented their Desires to His Majesty, digested into Fourteen Propositions: and how reasonable and indifferent those Propositions were, they expose them to the view of the world to judge, resting assured, that no indifferent man that shall duely weigh them, with the time and circumstance, will finde any thing contained in them, but what was necessary for the maintenance and advancement of *the true Protestant Religion, the due execution of Justice, the preservation of the Liberty and Property of the Subject, and the establishment of the Kingdoms Peace and Safety.* And because they might with all speed take off the Burthen under which this Kingdom did principally groan, and stop the spring from whence most of these Calamities did flow; they in the first place propounded, *That the Armies and Forces raised on both sides might be disbanded*, which being effected, the Kingdom might with the more ease and security expect the issue of the Treaty; and therefore they were very careful, that no Proposition or Circumstance touching the Treaty should precede this.

His Majesty having received and considered these Propositions, He not long after returned His Answer, wherein He professeth to have given up *all the faculties of His Soul to an earnest endeavour of a Peace and Reconciliation with His People*, and desires a speedy time and place might be agreed upon, for the meeting of such persons as His Majesty and both Houses should appoint to discuss those Propositions, and six other Propositions made by His Majestie, and sent with that Answer; whereof one was, *That to the intent the Treaty might not suffer interruption by any intervening accidents, that a Cessation of Arms and free Trade might be first agreed upon*: which Answer the Lords and Commons did take into their consideration. And because His Majestie did desire that a Cessation might be first agreed upon, they did accordingly submit thereunto, though they had purposely avoided it before; being unwilling to waste the time about the Shadow, that would of it self vanish with the disbanding, which they desired might be concluded in the first place.

But they were willing to give all satisfaction to His Majesties Desires, hoping thereby to incline Him the more readily to consent to their just Requests. And according to their resolution, they prepared ready the Articles of Cessation, and that with as much equality and indifferency to both sides as possibly they could. They likewise agreed to treat upon the Propositions before the Disbanding; in
which

which Treaty, so much of His Majesties Propositions as concerned His Majesties Revenue, Magazines, Forts and Ships, and the Propositions of both Houses for the Disbanding, should be first treated of and concluded, before the proceeding to treat upon any other: and that this Treaty should begin the fourth of *March*, or sooner, if it might be; and that from the beginning of the Treaty, the time might not exceed twenty dayes. They further resolved, that a Committee of both Houses should be appointed to attend His Majesty, if His Majesty should so please, to endeavour to give Him all humble and fit satisfaction concerning the said Propositions.

All which their resolutions they forthwith by a Messenger dispatched for that purpose presented to His Majesty, and not long after sent a Committee to attend Him. And though they hoped for a ready concurrence from His Majesty to the Articles of Cessation, the Proposition proceeding from Himself, yet they received a return much contrary to their expectation, where they found many scruples raised, and other Articles propounded, which being assented unto by them, would inevitably destroy the Forces raised by them for *the Defence of themselves, their Religion and Liberty*, and strengthen the Malignant and Popish Army raised against them; which they made appear by their humble Answer to those Alterations and Articles, which are herewith at large published, and therefore do referre themselves thereunto. And in the interim, while His Majesty was considering of this their humble Answer, they gave power to their Committee to treat upon the two first Propositions for four dayes, which afterwards they enlarged to the end of twenty dayes. And within some distance of time afterwards they received a very long Message from His Majesty, which (indeed) carried not with it the face or semblance of a Treaty, but in plain down-right language, was a *bitter Invektive against the two Houses of Parliament and their Proceedings*; so that by this time it might very well appear, *That the enemies of the Kingdoms Peace, so really prosecuted, and likely to be effected by the earnest endeavours of both Houses, thought it high time to cast in their taxes of Sedition, to prevent the growth of so blessed a fruit.* In this Message, after very heavy Taxes and unjust Scandals and Accusations laid to their charge, forced in quite besides the question, His Majesty condescended to the Cessation in manner as was agreed on by both Houses, to continue onely for five dayes, expecting a liberty notwithstanding to be given the Committee *to word it according to the real Intention*, and so that His Majesty might not be understood to consent to any Imposing upon, Levying, Distraining, or Imprisoning of His Subjects, to force them to Contribute, expressly protesting against it, and inhibiting His Subjects to submit thereunto, and requiring them to resist; and so that there might not be a liberty for Seizing upon His Subjects by any Souldiers of the Army for not submitting to such Impositions. Which offer of His Majesties, being but a Cessation only for five dayes, and some part of that time to be first spent by the Committee in wording of it, and limited with a Protestation against, and a Command to resist that Power whereby their Forces must be paid and supported, which if not answered and justified, would by a consent to His Majesties offer imply a declining of that power, which might endanger the Disbanding of their Army; and if answered, would necessarily have enforced them to some sharpness of language, which the enemies of this Treaty would easily take occasion to quarrel at, and perswade His Majesty to break off, which the Lords and Commons, out of their hearty zeal to bring it to a happy conclusion, did purposely avoid: therefore they did not only pass by these Scandals and unjust Accusations laid to their charge by that Message, but purposely declined to enter into any dispute of their power, for maintaining the Forces raised for their own necessary defence; and therefore thought it best to spend the remainder of the time in Treating upon the Propositions, and for that end enjoined their Committee, as much as in them lay, to hasten it, especially that part touching the Disbanding, which being concluded, would not only produce a temporary Cessation, but an absolute abolition of all acts of Hostility. The proceedings and issue of which Treaty the Lords and Commons think it necessary to publish to the Kingdom,

Kingdom, to the end the sincerity of their endeavours, to procure a happy settlement of these miserable Distractions, may appear.

When they perceived that the most part of the time prescribed for the Treaty was like to be spent about the Cessation, they gave power to their Committee in the mean time to treat upon the Propositions in order as they had formerly Voted: and therefore beginning with His Majesties first Proposition, whereby His Majesty demanded, *That His own Revenue, Magazines, Towns, Forts and Ships, which had been taken or kept from Him by force, should be forthwith restored unto Him*, the Lords and Commons by their Committee made Him this humble Answer; First, *That as to His Revenue, they had not made use of it but in a small proportion, and a good part of that was employed for the maintenance of His own Children, according to the allowance established by Himself; That what should remain due to His Majesty they would satisfy, and would leave the same to His Majesty for the time to come.* They likewise thereupon propounded to His Majesty, *That He would restore what had been taken for His use, upon any of the Bills assigned to other purposes, by several Acts of Parliament, as out of the provision made for the Wars of Ireland.* Which offer of theirs, after some debate thereupon with the Committee, was thought reasonable, and in effect concluded.

April 5.

And as to the Demand of the Towns, Forts and Ships, they in substance gave this humble Answer; *That they would deliver up such as remained in their hands, into the hands of such persons of worth, quality and trust, to be nominated by His Majesty, as the two Houses of Parliament should confide in, none of which persons to be removed during three years next ensuing without just cause to be approved of by both Houses; That the Warden of the Cinque-Ports, and all Governours and Commanders of Towns, Forts and Castles, should keep the same respectively for the Service of His Majesty and the Safety of the Kingdom, and that they should not admit into them any Foreign Forces, or any other Forces raised without His Majesties Authority and Consent of the two Houses of Parliament; and they should use their uttermost endeavours to suppress all Forces raised without such Authority and Consent, and seize all Arms and Ammunition provided for any such Forces.* Unto which Offer of theirs His Majesty gave this conclusive Answer; *That His Majesty did not intend that both Houses of Parliament should express their Confidence of the persons to whose trust the Cinque-Ports, or other His Majesties Towns and Forts, were or should be committed, but that they should have liberty to proceed against them according to Law; His Majesty claiming the nomination and free election to belong to Him of right. And to the Clause concerning the admission of Forces into those Forts, Castles and Towns, His Majesty would consent no further then these general terms; that is, That no Forces raised or brought in contrary to Law should be admitted, and that all Arms and Ammunition should be seized upon which by the Laws and Statutes of the Kingdom they ought to seize.*

They made the like Answer concerning the Ships, *That they should be delivered into the hands of such a Noble Person as His Majesty should nominate to be Lord High-Admiral of England, and the two Houses of Parliament confide in.* To which Offer His Majesty refused His Consent, declaring His Resolution to insist upon what by Law was His own (as His Majesty was pleased to express it,) and taken from Him, should be restored unto Him without any conditioning, or new limitations to be put upon Him or His Ministers.

And now the Lords and Commons will referre it to the world to judge, whether their Demands were not such, and so moderate, as was fit and necessary for them to make, and just and reasonable for His Majesty to assent unto: wherein they may be pleased to consider, that this was a Treaty for the disbanding of two Armies, and Forces raised in opposition each to other; that the Towns, Forts and Ships, are a great part of these Forces, and of the strength of that side that possesseth them; that for any one side to demand the possession and power thereof, and the other side to disband their Forces, and quit themselves of all their strength, is in effect a total disbanding of that side, and a continuing the Forces of the other, which must be granted to be most unequal; and therefore the Lords and Commons

did

did think it just and honourable, that the remaining strength should be put into such hands as both sides might trust.

Secondly, That their demand to have the Forts and Castles into the hands of such persons as both Houses should confide in, was a Proposition warranted by the frequent * Precedents of former times, whereby it appeareth that many other Parliaments have made the like and greater demands, and His Majesties Predecessors have assented thereunto.

* The fourth of Edward the Third,

Artic. 1. against Roger Mortimer. The King had put to him four Bishops, four Earls, and four Barons; without whose consent, or of four of them, no great businesse was to be transacted. *Rot. Parl. am. 13 E. 3. N. 15, 16.* The whole Navy disposed of by Parliament. *N. 13, 14.* Admirals appointed, and Instructions given to them. *N. 32.* Instructions for the defence of *Jersey*, and a Deputy-Governour appointed in Parliament. *N. 35.* Souldiers of *York*, *Nottingham*, &c. to go at the cost of the Countrey; and what they are to doe. *N. 36.* A Clark appointed for payment of their wages by the oversight of the Lord *Percy* and *Neuill*. *N. 38.* Sir *Walter Creak* appointed keeper of *Berwick*. *N. 39.* Sir *Tho. de Wake* appointed to set forth the Array of Souldiers for the County of *York*, and *N. 40, 41, 42, 43.* others for other Counties. *14 E. 3. N. 36.* The Parliament agreeth that in the Kings absence the Duke of *Cornwall* shall be Keeper of *England*. *N. 35.* They appoint the Archbishop of *Canterbury*, the Earls of *Lancaster*, *Warren* and *Huntington*, Councillors to the Duke, with power to call such others as they shall think fit. *N. 39.* Certain appointed to keep the Islands and Sea-coasts. *N. 42.* The Lord of *Mowbray* appointed Keeper of *Berwick*. *N. 48.* Commission to the Lord *Mowbray* of the Justices of *Lentham*. *N. 53, 54, &c.* Commissions of Array to the Earl of *Angois*, and others. *15 E. 3. N. 15.* That the Chancellors, chief Justices, Treasurers, Chancellors and Barons of the Exchequer, &c. may be chosen in open Parliament, and there openly sworn to observe the Laws, Answer thus, *That as they fall by death or otherwise, it shall be so done in the choice of a new, with your assents*, &c. *50 E. 3. N. 10, 11.* Ordered in Parliament, That the King should have at the least ten or twelve Councillors, without whom no weighty matters should passe, &c. *N. 15.* A Commission to the L. *Percy* and others, to appoint able persons for the defence of the Marches of the East-Riding. *1 R. 2. N. 18, 19.* The Parliament wholly disposeth of the Education of the King, and of the Officers, &c. *N. 51.* Officers for *Gascoign*, *Ireland*, and *Artois*, Keepers of the Ports, Castles, &c. *2 R. 2. Rot. Parl. par. 2. artic. 39.* The Admiralty. *N. 37.* In a Schedule is contained the order of the E. of *Northumb.* and others for the defence of the North Sea-coasts, and confirmed in Parliament. *6 R. 2. N. 11.* The Profer of the Bishop of *Norwich* to keep the Sea-coasts, and accepted in Parliament. *8 R. 2. 11, 16.* The names of the chief Officers of the Kingdom to be known to the Parliament, and not to be removed without just cause. *11 R. 2. N. 23.* No persons to be about the King, or intermeddle with the Affairs of the Realm, other then such as be appointed by Parliament. *15 R. 2. N. 15.* The Commons name the person to treat of a Peace with the Kings enemies. *Rot. Parl. 1 H. 4. N. 106.* That the King will appoint able Captains in *England* and *Wales*. *Stat. 4 H. 4. cap. 31, 32, 33.* printed, The *Welsh-men* shall bear Office. *5 H. 4. N. 16.* The King, at the request of the Commons, removed his Confessor and three other men from about him. *N. 37.* At the request of the Commons, nameth divers Privy-Councillors, 7, and *8 H. 4. 26.* Power given to the Merchants to name two persons to be Admirals, 7, and *8 H. 4. N. 31.* Councillors appointed by Authority of Parliament. *N. 26.* Commissions granted in Parliament to keep the Sea. *Rot. Parl. 1 H. 6. N. 61.* Chancellor, Treasurer, and Privy Seal appointed by Parliament. *N. 24.* Protector, and *Defensor Regni*, appointed by Parliament. *N. 26.* Privy Councillors. *2 H. 6. N. 15.* Counsels named by Parliament. *4 H. 6. N. 19.* The Duke, by common consent in Parliament, appoints a Deputy to keep *Berwick Castle*. *14 H. 6. N. 10.* The keeping of the Town of *Calice* is committed to the Duke of *Gloucester*, by Indenture between him and the King, and confirmed in Parliament. *31 H. 6. N. 41.* *Rich.* Earl of *Salisbury* and others are appointed by Parliament to keep the Seas, Tunnage and Poundage appointed to them for three years. *33 H. 6. N. 27.* Discharged. *39 H. 6. N. 32.* The Duke of *York* made by Parliament General. *Stat. 21. Jac. cap. 34.* Treasurers and a Council of War appointed by Parliament, and an Oath directed to be by them taken. The Earl of *Essex* made Lord Lieutenant of the County of *Yorke*, and Sir *Jo. Conyers* Lieut. of the Tower, upon the desire of the Lords and Commons this Parliament.

With very many more Precedents, which, to avoid prolixity, are purposely omitted.

Thirdly, It was a Proposition which His Majestie Himself in several Declarations of His own affirmed to be reasonable and just; for in His Majesties Answer to a Petition of the House of Commons, *January 28. 1641.* He expresseth thus, *For the Forts and Castles of the Kingdom, His Majesty is resolved, they shall be in such hands, and only in such, as the Parliament may safely confide in, &c.* And in another Answer to two Petitions of the Lords and Commons, delivered the second of *February 1641.* His Majesty useth these words, *That (for the securing you from all Dangers, or Fealousies of any) His Majestie will be content to put in all the places both of Forts and Militia, in the several Counties, such persons as both Houses of Parliament shall either approve or recommend unto Him; so that you declare before unto His Majesty the name of the persons whom you approve or recommend: unlesse such persons shall be named, against whom He shall have just and unquestionable exception.* Which being declared by His Majesty Himself, they had no cause to suspect a Denial, being confident that His Majesty did intend what He spoke; and if any ill Counsell could prevail to make Him recede from His Word, it must be admitted, the Kingdome hath more cause to be further secured.

Fourthly,

Fourthly, For that to our sad experience it is well known, that His Majesties Power in this and other things is to much steered and guided by the advice of these secret and wicked Counsellors that have been the Instruments of our present Miseries; and though His Majesty carrieth the Name, yet they will have the disposing of those places. And the Lords and Commons thought it the more reasonable and necessary to insist thereupon, because that in the time when they were preparing their Propositions to His Majesty, it did appear unto them by a Letter written by His Majesty to the Queen, (which they have caused to be herewith Printed) that the great and eminent places of the Kingdom were disposed by Her Advice and Power; and what Her Religion is, and consequently how prevalent the Counsels of Papists and Jesuites will be with Her, may be easily conjectured: and it is to be observed who the Persons designed for preferment were, even during the sitting of a Parliament; the Lord Digby, impeached in Parliament for High Treason, and most, if not all the rest, impeached in Parliament, and such as bear Arms against them.

Lastly, admitting that these demands touching the Ships and Forts had been made even in a time of Peace and Tranquillity: yet considering the attempts of Force and Violence made and practised against the Kingdome and this present Parliament, as the Designes many years since to bring to this Kingdom the *German* Horse, to compel the Subject to submit to an arbitrary Government; the endeavour to bring up the late Northern Armie, by force and violence to awe the Parliament; His Majesties coming in person to the House of Commons, accompanied with many Armed men, to demand their Members to be delivered up; and the Treason of the Earl of *Strafford*, to bring over the *Irish* Popish Armie to conquer the Kingdom; they might very well justifie, nay they were in duty bound (in discharge of the trust reposed in them by the Commonwealth) to make that Demand, and expect the performance thereof, to the end the People might be secured from any such Violence hereafter. Yet (to their inexpressible sorrow they must speak it) neither the Reasonableness, the Moderation, or Justness of the Request, nor the Peace of the Kingdom (which probably would ensue thereupon) could be Arguments prevalent enough to induce His Majesties Consent thereunto. And His Majesties offer of those Commanders that shall offend, to leave them to Justice and Triall of the Law, is an Answer more to shew His Power to protect Delinquents, then satisfaction to a Parliament, being the due and right of the meanest Subject, and yet intituled here as a Favour done to both Houses of Parliament.

And though His Majesty is pleased to justifie His Denial with the Allegation, *That it is His Right by Law*; they must appeal to the judgement of all indifferent men, whether that be a satisfactory ground of refusal: for admitting His Majesties Power of disposing the Ships, Forts and Castles, and committing them into what hands He please, to be by Law absolutely vested in His Majestie (which they by no means can admit, He being onely trusted with them for *the Defence and safety of the Kingdom*) as He Himself is pleased to assume; yet would that be no ground or reason for the King to refuse His Consent to alter that Law, when by circumstance of time and affairs that Power becomes destructive to the Commonwealth and safety of the People, the preservation whereof is the chief end of the Law. And though the two Houses of Parliament, being the Representative Body of the Kingdom, are the most competent Judges thereof; yet in this Case they do not proceed onely upon an implicate Faith, but demonstrate it both by Reason and Experience, *That their Demand is not onely necessary to secure the Kingdom from Fear and Jealousie, but to preserve it even from Ruine and Destruction.*

And surely had this Argument, of being *Their Right by Law*, been prevailing with His Majesties Predecessours, this Nation should have wanted many an Act of Parliament which now they have, that was necessary for their being and subsistence. And they could heartily wish that the Laws and Statutes of the Kingdom might be *The Rule of what is, and what is not to be done*; acknowledging with His Majestie, that the same is the only Rule between Him and His People, the assurance of the free enjoyment whereof is their only aime: but how little fruit the People hath gathered from this tree, let the woful experience of these last eighteen years judge, where, in a
time

time of Peace and Plenty, the power of issuing out Commissions to compell Loans, a power in the King at His pleasure to impose a Charge upon the People to provide Ships, without limitation of time or proportion, a power in the Councell-Board to commit men and determine businesse, without distinction of persons or causes, the power of laying Impositions both upon Foreign and Domestick Commodities, and many other Acts of Oppressions, was, under the name and colour of a *Legal Right* thereunto, practised and put in execution; against which the Subject had no help of relief, but was necessitated to submit and lie under the burthen. And when at any time a Parliament was called (being the only cure and remedy for these griefs) it could no sooner touch upon these sores, but it was dashed in pieces by a sudden Dissolution. And now that a remedy is provided for that mischief by the Act for continuance of this Parliament, it is attempted by the force and power of an Army to effect that which formerly could have been done with more ease and readinesse.

And now they referre it to the censure of any honest man, whether they have not the warrant of Reason and Necessity, to demand some security to enjoy that which His Majesty confesseth to be the Peoples right: and in reference to that, whether their Demand of having the Forts, Castles and Shipping to be put into such hands as both Houses shall have cause to confide in, was not both moderate and reasonable.

And touching their Demand, and His Majesties Answer to the Clause concerning the admission of Forces into those Forts, Castles and Towns, they must still submit it to all indifferent judgements, how much Reason and Justice was comprehended in their Demand, and how little satisfaction they received therein. His Majesty answers, *That no Forces raised or brought in contrary to Law should be admitted*; which they could heartily wish heretofore had, or hereafter would be really performed: but they desire it may be considered, what security this will be to the Kingdom, to prevent the raising or bringing in of Forces contrary to Law; who shall be Judges of the Law, when those Forces are once raised and once brought in? Surely His Majesty will not acknowledge the two Houses of Parliament to be; for His Majesty by several Declarations hath expressly denied them any such Power: For contrary to their Declarations, fortified with Law and Reason, His Majesty published and affirmed the Legality of the Commission of Array, and put the same in execution in most parts of the Kingdom; hath authorized the Papists of the Kingdom to take Arms to oppose the Parliament and their Proceedings, and to rob, spoil, and deprive the Protestants of this Kingdom of their estates and lives; hath by divers Proclamations and Declarations published the raising of Forces, and taking up of Arms by the two Houses of Parliament, and such as therein obey their Commands, for their own defence, and the defence of their Religion and Liberty assaulted by an Army of Papists and their adherents, to be Rebellion and Treason, and the taking up of Arms by the Papists and their adherents, to be acts of Duty and Loyalty; and all this urged and pretended to be warranted by the Law of the Land. And they do not doubt but by the same Law, persons legally impeached and accused in Parliament of high Treason, as the Lord *Digby*, Master *Percy*, Master *Fermyn*, Master *Oneale*, and others, are by the power of an Army protected from the Justice of the Parliament: and yet all this while the People have not only His Majesties Promise, but His Oath, to govern and protect them according to the Laws of the Land. And now they appeal to the world, whether such a general Answer, *That no Forces raised or brought in contrary to Law*, without admitting them so much as to declare their confidence in the persons that are to be entrusted with the Power, be just or reasonable: What is it otherwise in effect, then to make those persons that are the Instruments to violate the Law, Judges of that Law? which, to our sad experience, is the woful and miserable present condition of this Kingdom.

And though, by what had hitherto passed, they had little cause to suspect such a happy issue to the Treaty as they heartily wished and most earnestly laboured for, discovering not the least inclination of compliance to their just Demands, but all, or most of them, answered with a Denial, and that not without some sharpnesse and acrimony; yet resolving to be wanting in nothing of their parts, they enjoined their Committee to

press on the Proposition for Disbanding, and humbly desire His Majesties positive Answer thereunto, which (if assented unto by His Majesty) would, though not wholly take away the cause, and perfectly cure the Distractions of this Kingdom, yet at least take off the smart and pain under which both Church and State do most miserably languish, and so better enable them to endure the expectation of a through Cure.

The Committee applied themselves to His Majesty accordingly: and after some endeavour to protract the debate of this Proposition, and desire that it might be deferred to the conclusion of the Treaty, and that the time of the Treaty might be enlarged, His Majesty being earnestly importuned to a positive and speedy Answer, to the end the Kingdome might know what they might trust to, His Majesty was pleased to return this Answer, That as soon as His Majesty were satisfied in His first Proposition, concerning His own Revenue, Magazines, Ships and Forts; secondly, as soon as all the Members of both Houses shall be restored to the same capacity of sitting and voting in Parliament as they had upon the first of *January* 1641. not intending to extend it to the Bishops Votes, or to such in whose places upon new Writs new Elections have been made; thirdly, as soon as His Majesty and both Houses might be secured from such tumultuous assemblies as formerly assembled about both Houses, which security His Majesty explains can be onely settled by adjourning the Parliament to some place twenty miles from *London*; His Majesty would consent that both the Armies should be disbanded, and come to the Parliament. Which in terms plain enough is as much as to say, That untill both Houses shall consent to those Demands, He will not disband His Army, He will continue the Warre. And what Reason or Justice is either in the matter or manner of those demands, or what hope or expectation the People can have to see an end of their present Calamities, they leave it to themselves to judge. His Majesty in the beginning of the Treaty, in His Answer to the Propositions of both Houses, was pleased to expresse how unparliamentary it was by Arms to require new Laws: but how to apply that to the two Houses of Parliament, they must confesse they are to seek; they never having demanded any new Laws by Arms, endeavouring onely (what in them lieth) to preserve and defend themselves, their Religion and Laws, from the violence of an Army first raised against them; which being laid down and disbanded, they offer to disband theirs, without any other condition. But they are well assured, that by this His Majesties Answer here is not onely a requiring of new Laws, but a repealing of the old, by Arms: for His Majesty must have this Parliament adjourned to another place, which by a Statute made this present Parliament cannot be done without the consent of both Houses. He must have the Members disabled to sit there by the respective judgement of both Houses, restored to their former capacity of sitting and voting, or He will not consent to disband. And how destructive to the Liberties of the Parliament and dangerous to the Kingdom these Conditions required by his Majesty to precede the disbanding are, any man that hath an eye to see may easily discern. As first, to satisfy His first Proposition, in yielding up the Magazines, Ships and Forts, into the hands of such persons as His Majesty shall appoint to receive the same, without any admission to the two Houses to expresse their confidence in those persons: which being performed, were to yield up the principal part, if not all the strength they have, and expose themselves, Religion, and the Kingdom, to the mercy of a powerful Popish Army raised against them, and submit it to them, and to the will and pleasure of those Counsellors whose interest with His Majesty hath brought this Kingdom to this desolate condition, whether they would disband or not. Secondly, to satisfy Him in His Proposition touching His Revenue, wherein He demands a restitution of what hath been taken from Him; which though it would prove no considerable Summe, yet the time that the examination and agreement upon the accompt would necessarily take up, would prove such as might very well make the Kingdome sink under the burthen of two Armies before it came to a conclusion. And touching His Majesties requiring a restitution of the Members to their sitting and Votes, it is observable, that the Demand is made without distinction of persons or offences;

so that be the persons never so criminous, or the offences never so notorious, and so the Judgement never so just, yet all must be restored, or no consent to disbanding. And the reason and ground of the Demand is as observable; because they adhered to His Majesty in these Distractions: An Argument, they must confess, much used by the Earl of *Strafford* in defence of his Treason, who would have justified the most notorious Crimes laid to his charge by Authority and Commands derived from His Majesty, and his zeal to advance His Majesties Service and Profit. And no doubt the same reason may be used for the Judges in case of Ship-money, and most of the Monopolists and Projectors, who by Letters Patents had not onely His Majesties Command and Authority for the doing what they did, but brought in great Sums of Money to His use and benefit, and that perhaps in times of necessity and want thereof: and so consequently, because these adhered to His Majesty, (for what they did was for His Profit) with the like reason it may be required that all Impeachments and Proceedings against them should be repealed and laid aside.

And surely nothing can be more destructive and dangerous both to Parliament and Kingdom then the consenting to that Demand: for what can be more destructive to both Houses, then to restore those persons to have their former suffrage and Votes in Parliament over the Lives and Liberties of the People and the Privilege of Parliament, who have not only deserted the Parliament, disobeyed and contemned their Authority, neglected the Trust reposed in them by those that sent them thither, in whose behalf they were to attend and serve there, but by private practices and open hostility have endeavoured to destroy both Parliament and People?

And it would be an Objection of difficulty to answer, whether in giving a consent to this Demand, the People, who are to chuse these Members, should not be deprived of their interest and freedom of choice and election now devolved unto them, by putting out the Members already sent. And to this they might adde the danger of the Precedent, and the reflection of dishonour that would fall upon both Houses, should they consent to this, which would be with the same breath, as it were, to give and repeal their Judgement, and pronounce sentence of injustice and rashness against themselves. But they will not insist thereupon in a case otherwise so full of danger and inconvenience to the publick.

And touching the Proposition of Adjourning the Parliament twenty miles distant from *London*, they shall not need in a case so apparent to spend many words to discover the inconvenience and unreasonableness thereof: for, should they assent unto it, to pass over the inconveniences that would happen to such persons that should have occasion to attend the Parliament, by removing it so far from the residence of the ordinary Courts of Justice, and the places where the Records of the Kingdom remain (whereof there is frequent use to be made) it would not onely give a tacite consent to those Scandals so often pressed and affirmed in several Declarations, that is, That His Majesty was forced for the Safety of His own Person heretofore to withdraw, and hitherto to absent Himself from the Parliament, which both Houses can by no means admit, but must still deny; but likewise to that high and dangerous Aspersions of awing the Members of this Parliament, raised without doubt purposely to invalide the Acts and proceedings thereof; and by that engine, in case the Popish Army should prevail against the Parliament, (which they trust God in his goodness will never permit) to overturn and nullifie all the good Laws and Statutes made this Parliament.

And it would give too much countenance to those unjust Aspersions laid to the charge of the City of *London*, whose unexampled zeal and fidelity to the true Protestant Religion and the Liberty of this Kingdom is never to be forgotten, That His Majesty and the Members of both Houses cannot with safety to their persons reside there; whenas they are well assured, that the Loyalty of that City to His Majesty and their Affections to the Parliament is such, as doth equal, if not exceed, any other place or City in the Kingdom. And with what safety the two Houses can

fit in any other place, when even in the place they now reside the House of Commons was in apparent danger of Violence, when His Majesty accompanied with some hundreds of armed men came thither to demand their Members, let the world judge.

And now the Lords and Commons must appeal to the judgement of all impartial men, whether they have not used their utmost and most faithful endeavours to put an end to the Distractions of this Kingdom, and to restore it to a blessed and lasting Peace; and whether their Propositions (being the way thereunto) were not such as were reasonable and necessary for them to make, and just and honourable for His Majesty to grant; and whether His Majesties Answers to these Propositions are satisfactory, or correspondent to His Expression, to have *given up all the faculties of His Soul to an earnest endeavour of a Peace and Reconciliation with His People*. But they must confess, that they had just cause to suspect, that this would be the happy issue of the Treaty; for the prevalency of the enemies thereof, who, like that evil spirit, do most rage when they think they must be cast out, was such, that they would not proceed therein one step, without some attempt or provocation laid in the way to interrupt and break it off: for after they had resolved to present their humble Desires and Propositions to His Majesty, their Committee must not without a special safe Conduct and Protection from Him have access to Him, (a liberty incident to them not only as they are Members of the Parliament, and employed by both Houses, but as they were free-born Subjects;) and yet when they passed over this, His Majesty refused a safe Conduct to the Lord Viscount *Say and Seal*, being one of the Committee appointed by both Houses to be employed upon that occasion, such a breach of Privilege that they believe is not to be parallel'd by the example of former times; and yet their desire was such to obtain the end they drive at, (that is, a happy and lasting Peace) that they resolved not to interrupt the Treaty for that time by insisting upon it. And then they had no sooner entred upon the Treaty, but a Proclamation dated at *Oxon* the 16 of *February* 1642. entituled *His Majesties Proclamation, forbidding all His loving Subjects*, and the Counties of *Kent, Surrey, Sussex and Hampshire*, to raise any Forces, &c. and another Proclamation dated the 8 of *February*, forbidding the assessing and payment of all Taxes by virtue of an Ordinance of both Houses, and all entring into Associations, were published in His Majesties Name, containing most bitter invectives and scandals against the proceedings of both Houses, by styling them and such as obeyed them Traitors and Rebels, charging them under the name of *Brownists, Anabaptists, and Atheists*, to endeavour to take away the Kings Life, and to destroy His Posterity, the Protestant Religion, and the Laws of the Kingdoms, with many other such scandals and aspersions; and even at this time were many designs practising against the Parliament, which in all probability were the grounds and reasons of His Majesties confidence and denial of their just desire. Insomuch that His Majesty in a Letter sent from Him to the Queen, and read in the House of Commons, did declare, That He had so many fine designs laid open to Him, that He knew not which first to undertake. One whereof probably was the most bloody and barbarous designe upon *Bristol* attempted (though by God's infinite mercy prevented) during the Treaty. And whether that of Sir *Hugh Cholmley's* in betraying of *Scarborough* Castle, wherewith he was entrusted by the Parliament, to the Queens hands, and acted likewise during the Treaty, and that of *Killingworth* Castle, which should have been likewise betrayed, and a designe discovered by a Letter found in the Earl of *Northampton's* pocket, slain near *Stafford*, written to him from Prince *Rupert*, were some of the other designs mentioned in His Majesties Letter, they cannot certainly affirm, but conjecture. And when these collateral provocations and attempts could not prevail to make them desert the Treaty, then comes in His Majesties Message of the fourth of *April*, which they have mentioned before, charging them to abuse the people with imaginary Dangers and pretended Fears, to use Force and Rapines upon His good Subjects, with publishing new doctrines, That it is unlawful for the King to
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doe any thing, and lawful to doe any thing against Him; with Malice and Subtily to abuse the People, that their Pleasure is all their bounds; with many other such bitter expressions, that no man could think such an Answer could be any part of a Treaty, or at least to proceed from a heart that desired a happy issue thereunto. Notwithstanding all which, the Lords and Commons were so resolutely fixed to prosecute that Treaty, and (if possibly they could) to bring it to a blessed and happy conclusion, that they were content to lie under all these Scandals, and endure all these wounds, so they might make up the breaches of the Commonwealth; and therefore they did forbear the returning of an Answer to any of these provocations. And then when that Malignant and Popish party (too-too prevalent with His Majesty) perceived their constancy, not to be provoked to break that Treaty of their part, they found it necessary to seduce His Majesty to refuse His Consent to their most necessary and just Desires, and to propound such things as could not with the peace and safety of the Church and State be yielded to, and so effected their own desires;

All which the Lords and Commons thought it their duty to publish to the Kingdome, to the end that they may see that what hath been long endeavoured by subtile and secret practices, is now resolved to be effected by open Violence and Hostility, that is, the destruction of our Laws and the Protestant Religion, and introducing of Popery and Superstition; and that there is little or no hope by any endeavour of a Treaty to procure the Peace of this Church and Kingdome, unless both be exposed to the will and pleasure of the Popish party, until the Army and Forces now raised and continued by them be first destroyed or suppressed. And therefore the Lords and Commons do hope, that not only such as are already convinced of their Designe and Malice, but even those that by their subtile and false pretences have been ignorantly seduced to joyn with them, that love their Liberty and the Protestant Religion, will now with one heart and minde unite together, to preserve their Religion and Liberty: in the defence whereof the Lords and Commons are resolved to offer up themselves, their lives and fortunes, a willing Sacrifice.

Die Sabbati, 6 May. 1643.

A Declaration upon the Result of the Treaty, brought in with some Amendments, was this day read in the House of Commons, and ordered to be delivered unto the Lords at a Conference. And it is further Ordered by this House, That this Declaration shall be Printed, and Master Glyn do take care for the Printing of it, and that none shall Print or re-print it, but such as Master Glyn shall appoint, to the end that by his care the Records may be rightly cited, and the Letters and other matters, Ordered to be Printed with it, be carefully Printed.

H. Elsing, Cler. Parliament. D. Com.

His MAJESTIES Declaration to all His Loving Subjects, in Answer to a Declaration of the Lords and Commons upon the Proceedings of the late Treaty of Peace, and several Intercepted Letters of His MAJESTIE to the QUEEN, and of Prince RUPERT to the Earl of Northampton.

Oxford, 3. June 1643.

THough His Majesty be assured, it cannot but be of great Advantage to Him to have such an occasion as is now given Him by the late Declaration of both Houses, to shew to all His good People who it is that is really in fault, that the last Treaty, so much desired by His Majesty, and only begun upon His Desire, broke off so abruptly (as He doubts not to doe, if those who govern in the remaining part of both Houses have but so much ingenuity left, as to suffer what He saies to be equally freely published to His People;) yet His Majesty cannot without great grief of Soul see that Treaty, which He hoped and expected should have begot the settled Peace and Happiness of His Subjects, in stead thereof beget nothing but Disputes and Declarations: yet it will be some Cordial to Him, when He shall be forced to see the Desolation of this Kingdom and the Misery of His People, that not only it is not He that hath made that Desolate and them Miserable, but that He is able to demonstrate to all the World, that He hath used His utmost and most earnest endeavours to prevent it, as will appear at large by the following state of the Case.

After that the Conspiracy of some Persons against the present established Government both Ecclesiastical and Civil had made means to infuse into part of the People (by publishing unheard-of Declarations, obtain'd and past in a new and unheard-of manner, sometimes but by eleven Voices after seventeen hours sitting, and that but in one House) strange Fears and Jealousies of the other House and of His Majesty, and by them given the Rise to those insufferable Tumults and Seditious unparliamentary Petitions at once to and against the Lords, which they afterwards avowed publicly to protect and encourage, and forced the Lords House, by fearing them,

them, to seem to fear with them, and to joyn with them first in requiring, and next in forcing no less security for those Fears from His Majesty (who was then in condition to have most real Cause of Fear Himself) then almost all that Power which the Law had trusted to Him for the security of the Crown and the Protection of His People ; after that His Majesty and most of the Members were forced away from the Parliament , and that His share in making new Laws was denied to Him in any case in which they would pretend Necessity, and every Subject that would not submit to any new, extravagant, extemporary , legislative Declaration or Order of one or both Houses, against the antient known Law of the Land, was become sent for up , and imprisoned as a Delinquent , and whosoever would assist them, against the known Law, was not only protected by them in that, but in any other Case (although they were of them who had been most apparently active in those former Pressures upon the People, which they now afresh impute to His Majesty) so that to be of their side was now become a known Sanctuary ; after that nothing was left undone or unsaid that might render His Majesty both weak and odious , and that all that He could say or doe to clear Himself was either suppressed, or interpreted in a contrary and impossible sense (so that His very offer to venture His Royal Person against the *Irish* Rebels was voted to be an Encouragement to that Rebellion;) after that from declaring of Law they came to declaring of Thoughts, and forgetting that the Hearts of Kings are inscrutable, presumed to dive into His, and without Apparence , and contrary to Truth, had declared that He meant to make Warre upon His Parliament, and made that Declaration a ground to levy a real Warre against Him, and then made that Warre a ground to begin to make Warre upon His People, forcing away the Arms and Money of all such as they pleased to suspect of the Crimes of Allegiance and Loyalty ; after that they had so farre exprest and discovered the true end of all these Actions, as to propose the total Change of the present Government, both Ecclesiastical and Civil, in the Nineteen Propositions, as the onely way to Peace ; and that His Majesty might by all this have been sufficiently perswaded, that it was impossible for Him to obtain Peace from them but either by Submission or by the Sword : yet after all

this His Majesty was so averſe to the latter Courſe, as to deſcend to ſo great a degree of the former, as from *Nottingham* to propoſe to and deſire from them a Treaty for Peace; and being there twice openly and abſolutely reſuſed it, yet did then declare, that He would notwithstanding be ready to receive it whenſoever they would propoſe it. And to ſhew that theſe Offers proceeded not from His Condition but from His Inclination, after His Victory at *Edge-hill*, and after that the Earl of *Effex* had ſo farre forgot his Errand, as to return to *London* alone, in ſtead of bringing up His Ma- jeſty, and thoſe His good Subjects whom they call'd Delinquents; His Answer at *Colebrook* will ſhew to all the World, that He was ſtill of the ſame minde as when He ſent His Meſſages from *Nottingham*; and His Meſſage ſo carefully ſent from *Colebrook* to prevent all miſ- conſtruction of that march of His which they had neceſſitated to *Brainceford*, and His preſſing ſtill that a Treaty might go on in that and ſeveral other Meſſages, all ſlighted and neglected, ſhewed ſuffi- ciently who really was deſirous of, and who were averſe to Peace. But when the Petition of ſo many Citizens, that a Treaty might be accepted, finding ſo little countenance or acceptance from the Houſe of Commons, and the Injuries and Imprisonments which the Petitioners ſuffered for it from Alderman *Pennington* and others, finding ſo much countenance from them, did ſo far begin to open the eyes of the People, that the Averſion to Peace began to be imputed to them who were truly guilty, and that they found this Diſcovery made men generally unwilling to part with their money to make themſelves miſerable, and that again encouraged many of the Members to appear for Peace too, and that conſequently their too open and avowed deſire of Warre would but render them unable to continue it, they thought it neceſſary to make ſome Propoſitions which might deceive the People ſo farre as to make them believe they deſired Peace, and yet reſolved to make them ſo unreaſonable, as they might notwithstanding be ſure to be out of all danger of effecting Peace by them, and ſent thoſe down to His Maſeſty. Which though they pretend now to be ſuch as no indifferent man will finde any thing contained in them but what was neceſſary for the maintenance and advancement of the true Proteſtant Religion, the due execution of Juſtice, the Preſervation of the Liberty and Pro-
perty

perty of the Subject, and the establishment of the Kingdoms Peace and Safety; yet His Majesty is confident that even those who are not very indifferent are yet able to see, that no Propositions could be more unreasonable then those Fourteen, except the former Nineteen.

To pass by the Preamble, (in which most unnecessarily they lay most heavy and most unjust Charges upon His Majesty, and yet draw an Argument of His Aversion to Peace from those known Truths which either His defence or the matter in question, Crimes being impossible to be spoken of but as Crimes, did after extort from Him) would not any man have expected, that had observed with what violence this Warre was begun and prosecuted against His Majesty, to have found in the Propositions for Peace the Demand of at least some, and those very important, Rights which were withheld from them before the Warre, and so had given some colour for it? But of these there appears not so much as one: and yet till all these are granted and performed, they do as much as say in Terms plain enough in their Conclusion, That they have not any hope, nor will use any endeavours, that His Majesty and His People may enjoy the Blessings of Peace and Justice; which was certainly by terrour of Arms to demand new Laws, and as great a Proof that they did so, as they seem to confess it unparliamentary if they had done it. Is not the taking away of the Bishops, Deans and Chapters, and indeed the whole established Ecclesiastical frame of Order and Government, a new Law? yet unless His Majesty will yield to take it away (though there were but five Lords present when the Bill past, and though no other form be yet offered or shewed to Him, but the Presbyterians and Independents are left to fight it out among themselves what shall succeed in the place,) His Majesty is told, He must not hope for Peace. And the division likely to ensue between different Parties, what shall after be introduced, shews sufficiently what hope there should be of Peace if He should pass it.

Are not the Bill against Scandalous Ministers (in which most of their own Faction are appointed Commissioners, that they may make way for and introduce a new Clergy of their own;) the Bill against Pluralities, (which makes no difference of conditions, or merits of Persons, or of value of Livings, and looks not onely forwards,

forwards, but extends to the immediate dispossessing of present Incumbents of what is vested in them for their Lives by the Law of the Land ;) the Bill for the Consultation of Divines (Persons of their own choice, and most of them of their Faction, and of no esteem but with themselves, hardly at all bounded as to the matter, and absolutely unlimited as to the time of their consultation,) all new Laws ? Is not the settling of the *Militia* both by Sea and Land, and the Forts and Ports, in such a manner as shall be agreed on by both Houses (in which His Majesty is expected with a blinde implicate Faith to trust them with the whole Power of the Kingdom, and with His onely means of defending Himself and protecting His Subjects, though into what hands or for what time or in what manner they will order or dispose of it is so farre from appearing to Him, that it doth not yet appear that both Houses know themselves, and how they have already used that Power is known to all the World) both a new and a strange Demand ? Are the Earl of *Bristol's* Removal and Exclusion from all possibility of Employment, (a Person uncondemned, unimpeacht and unsummoned, no crime or error either proved or but named against him,) or the choice of the Judges and Master of the Rolls, the change of Commissioners of the Peace and Oyer and Terminer, or the restoring of Members of the Houses, even to such meniall places of Service as required a personal attendance, and who had yet refused to attend upon command, or the assenting to whatsoever Acts He shall be advised for paying of Debts contracted upon the publick Faith, that is, by the Authority of both Houses (by which His Majesty must allow Himself to be no part of the publick, and must directly allow, and, as it were, ratifie that Rebellion which this Money was raised to foment) either due to them by Law, or reasonable in themselves ? Doth the directing His Majesty with whom and how far to make Alliances belong to them ? (or was that at all necessary, His inclination to the strictest bands with Princes and States of the Protestant Religion being by the Match of His Daughter sufficiently expressed ?) And yet till all this be done, and unless He will pardon all that have born Arms against Him, and leave those that have assisted Him to their Mercy who have none, they will not promise any hopeful endeavours for Peace and Justice.

But

But is there any thing else that is due by Law, which was before denied and is here demanded, that can in any degree justifie or extenuate that ever Peace was broken and Justice destroyed? Not so much as one tittle. Did His Majesty give any Commission till they had mustered many men? Or did He so much as take any Guard to Him, till both they had a much greater many moneths, and had of their own Authority ordered a Serjeant-Major-General of their City Forces, and till His Magazine and Town were by Armes kept against Him, though He were provoked to it before by all the other Indignities and Injuries which Insolence and Injustice could devise? Was not Sir *John Hotham*, for all his known Treason, refused to be left by them to Justice and the triall of the Law, before ever any that was but call'd a Delinquent was protected by His Majesty? And was not His Majesty then denied that which themselves confesse to be the due and right of the meanest Subject, and do so far expect, as to look upon it rather as a scorn then a satisfaction now His Majesty offers it to them? Was any one Papist armed by His Majesty before many of that Religion (and multitudes of persons against whose Recusancy the Law is as severe as against theirs) were armed against Him? or then either, untill their mere being of that Religion made them without colour of Law be plunder'd and imprison'd in all parts, and some of them fly into His Army for protection? Did not His Majesty before of Himself often offer to vindicate the Privileges of Parliament from any imaginable breach of them in the businesse of the Lord *Kimbolton* and Five Members? and did He not offer to wave their Charge, willingly submitting it to the publick Peace? So that the obtaining that demand, or the disbanding of the Army, or the disarming of Papists, or the triall of Delinquents, though they make some such shew as they are set in this place, yet not any of them were any grounds of this their War: And all that is due in these Demands having been offered before the War, or occasioned or necessitated by it, and being still to be had without it, the whole People cannot but see, that nothing but Fears and Jealousies have been the fumes with which they have so intoxicated His seduced Subjects, as to contribute to their own Misery, to obtain no one Right, how small and inconsiderable soever, denied to them by His Majesty, and that the maintenance and advancement

ment of Religion, Justice, Liberty, Property and Peace, are really but their Stalking-Horses, and neither the Ground of their War nor of these Demands; which will appear to any indifferent man that shall duly weigh them, as farre from being moderate as from being necessary.

Yet such was His Majesties most earnest desire to catch at any thing that by producing a Treaty might settle a Peace, and so farre were any such Enemies of it (as are supposed by this Declaration) from being prevalent with Him against this desire, that His Majesty proposed that persons should be appointed by His Majesty and both Houses to Treat even upon these very Propositions, and such other as His Majesty proposed, which were only Demands according to or in behalf of the Law establisht, and which more concerned His Subjects then Himself. And His Majesty cannot but appeal to all the world, whether not onely any of their Propositions did, but whether any other Propositions that could be devised could expresse more desire of the maintenance and advancement of the true Protestant Religion then His Majesties Fourth Proposition, (in which His readinesse to consent to the execution of all Laws made, and to any good Laws to be made, for the suppressing of Popery, His desire that the Laws already made to preserve the Common-Prayer from the scorn and violence of Sectaries be backt and fortified, and His Offer at the same time that tender Consciences be eased by it, are so clearly and carefully exprest and united;) or of the due execution of Justice then His Majesties Fifth Proposition, (which referres all such Delinquents as should by the Treators be excepted in the Pardon, to the usual course and known Law of the Land;) or of the preservation of the publick Liberty and Property, (for His Majesty conceives that He hath a Property too, without maintaining of which He will be never able to defend His Subjects) then His First, Second and Third; or of the Peace of the Kingdom, then His Sixth Proposition, which by restoring His Subjects by a Cessation to a short Trial of the quiet and benefit of Peace, would have rendred them so far in love with that almost-forgotten Happiness, that seeing nothing demanded by them that was worth a Warre, they would have had a hard work to have engaged them again into so unprofitable a Madnes. And His Majesty is so confident of His advantage in all these, that He conjures
His

His Subjects seriously to read, consider and compare what He and what they demanded, and by their indifferent Propositions to judge of their several Intentions.

And indeed, the violent party both in the City and the Houses (which, for all the publick Fears and Jealousies they pretend, inwardly and really are fearful and jealous of nothing so much as of Peace) dislike nothing more in His Majesties Propositions than the Moderation; and suspecting that the reasonableness and unreasonableness of what His Majesty and what they askt would but too generally appear by the Discussion of both in a free and open Treaty, and so might in despite of them produce a Peace, earnestly and openly oppose the Treaty, and so far oppose His Majesties Proposition of Cessation, that it sufficiently appeared by their aversion to the Shadow of Peace (as themselves call it) how much and how heartily they were averse to the Substance it self. But when they found that they could perswade no man to joyn with them in rejecting all imaginable maners of Treaty and Cessation, that did not joyn with them in abhorring any imaginable manner of Peace, they reserved their Authority to enable them to break off both, upon somewhat more plausible difference in the Circumstances and Conditions.

A safe Conduct is demanded by the Houses, and their first Art is to get the Lord Say named in that Demand for a Treater, which they knew certainly (he having born Arms against His Majesty, and been excepted in one of His Proclamations of Pardon) His Majesty must except against: but when they could not perswade even both Houses (who well remembered an example of no elder date than since His Majesty was at *Colebrook*, when the same exception at the person of Sir *John Evelyn* was made by His Majesty, and not excepted at by both Houses) that this exception was so unparallel'd a breach of Privilege, as to deserve to hinder the Treaty from going on, their next Arts are so to bound and limit their Committee, both in the Matter, Manner, Time and Power, as might wholly render it uneffectual: And to that end they first obtain that their Committee should Treat with none but with His Majesty, (a Course which how lofty, how advantagious, and how unreasonable soever, yet His Majesty, out of His earnest desire of Peace, contrary to their hopes and expectations, was contented

to admit;) and next obtain that they should not Treat upon any point but of the Cessation, till that were concluded, and for that allowed but four daies, and that at twice, (in hope that some matter of Advantage might happen in the time of that delay) and allow them no Power (without still sending to the Houses upon every occasion) to conclude farther then the Papers they brought down or delivered, or so much as to explain or new-word any thing in them, (a new and a strange way of Treating, and by which at that distance it was wholly and plainly impossible that any thing should be concluded:) and when His Majesty had quitted all wherein Himself or His Army were solely concerned, and yielded almost to all that they proposed, and at last insisted upon nothing but that they might not make use of the leisure of their Army, occasioned by this Cessation, to force what Summes they would from what Countries they pleas'd, (for they neither would nor could name any other bound of their Taxes then their pleasure, when they imputed that assertion to His Majesty) and so extremely burthen His Subjects, and advantage and enable themselves against His Majesty, (in contradiction to the Principle lay'd down by themselves, and approved of by His Majesty, That by the very nature of a Cessation, matters should be preserved in the state they are in, and neither party have liberty much to advantage himself;) nor yet insisted any further upon that neither, then to leave room still for satisfaction (if any Reason could be offered against so reasonable a Limitation) by a continuance of the Treaty concerning it; they vouchsafed Him no offer of any such Reason, nor allowed their Committee any farther Time or Power to Treat concerning it, without expressing any better cause for so abrupt an end of so important a Debate, then to avoid the Waste of Time: though His Majesty could not conceive that could be called a Waste, or how time could be better spent, then to settle such a degree of publick Peace, as might reduce the minds of all men to such a Temper as might make a full Peace much more probable.

Nor did His Majesty finde in the Treaty it self that the Committee were any better enabled, (though to avoid delay, and that a Conclusion might be made possible) His Majesty often desired it. They were

were limited twice to four daies, and once to seven: they were bounded to two Propositions, and to their bare narrow Instructions concerning those: nor had they so much as any Power or Instructions at all concerning that most important part of their own Proposition, so often prest by themselves, His Majesties Return to His Parliament. So that resolving (as it will be afterward shewed they did) to yield no farther to His Majesties Proposition then with such Limitations as would in effect retain what they seemed to give up, they expect that His Majesty should entirely yield to theirs without any Limitation, and (to invert their own words upon another occasion) should yield to that which would have produced to them an absolute Victory and Submission, under pretence of Agreement and Peace: It being evident to all men, that His Rights forced from Him by Violence being not absolutely restored, His Army being disbanded, and He returned to *London*, the Members of both Houses for dissenting from them and assisting of Him remaining expelled, no security from Tumults for the rest of the Members being given, and all good Subjects being totally discouraged by so absolute a Prevalence of the Factious and Rebellious, His Majesty were as much in the disposal of the Five Members as if they had Him in the Tower, and He ought His Crown wholly to their Grace and Favour if they did not Depose Him. And yet they would be thought to desire nothing, in desiring that the Armies should be upon these Terms disbanded, but only that the Kingdom might be eased of their Burthen, and the spring of these Calamities might be stopped.

His Majesty demands, That His own Revenue, Magazine, Towns, Forts and Ships, taken by Force, be restored to Him. The Revenue (which they could easily pay back out of other mens Purses) they easily agree about; but to part with such strengths which had and did help to enable them to leave no Subject any more of his Right then they had to the detaining of these, they can by no means endure. And therefore they propose such Limitations as in effect limit away all, and yet may seem to the vulgar or to the careless not to signifie much: to wit, That these Strengths may be put into such hands as they will confide in, and that no less then three years; That the Commanders may, during that time, not admit of any Forces upon whatsoever occasion without Consent

of the Houses, and they, and all Generals and Commanders of the Armies on either side, may swear to preserve the Peace of the Kingdom against all Forces raised without consent of both Houses, and this for no limited time. His Majesty, who had asked nothing but what was His by Law, and who in order to Peace had not asked so much as by Law was due to Him, (to wit, the punishment of those who had taken these things from Him) could not but wonder to see such things asked of Him to which by Law there was no Pretence: He therefore endeavours to limit their Limitations to the Law of the Land; He names those Persons to this Custody whom the Law had named first, and express Himself most willing that they should be put out at the same door they came in at; that the Law, which had vested them, might eject them, if they had offended against it: but expected not that the Injury done Him, of taking these things from Him and them contrary to Law, should be a reason why any new Conditions or Limitations should be laid upon Him or His Ministers, which the Law laid not. To this the Committee replies, not denying what the King asked to be legally His, or to have been illegally taken from Him, nor making any legal, or so much as colourable, or at all any, Exceptions, against the Persons legally vested in those Places, (and without any Cause shewed, it would have ill become His Majesty to have divested His Servants of their Rights in the instant when some of them are venturing their Lives for His Service) but retire to their old inaccessible Fort of Fears and Jealousies. To this His Majesty rejoyns, shews what He had done to prevent and destroy Fears and Jealousies in them, intimates what they had done to create Fears and Jealousies in Him; that having by Force taken these things from Him when He had them, He had more Reason to have insisted upon further Security to inable Him to keep them, then simply to desire them to be returned to Him, (and much more then to grant them more hold of them, to enable them the better to wrest them from Him again:) represents to them, that by the same Reason, upon the same ground, they may ask Him all His Legal Power, since all the Power vested in Princes for the necessary Protection of their Subjects may possibly be employed for their hurt: and concludes, in His Opinion, with a very wholesome Advice against that dange-

dangerous (and now too Epidemical) Disease of Fears and Jealousies, and prescribes to them to make the Law their Rule and measure, as the best Antidote and Cure for that Disease.

This insisting upon this Answer, as His Majesty for these Reasons thought to be most reasonable, so He likewise thought it most necessary; First, because themselves having told Him in the Debate about Cessation in the point of Ships, that for them to allow Him the Approbation of Commanders, was to give Him up the Strength, He could not want Logick so much as not to draw this Conclusion from these Premisses, That for Him to allow them the Approbation of the Commanders, both of Magazines, Towns, Forts and Ships, was in that to give all back to them which they would seem to restore to Him. Secondly, because His Majesty by now consenting upon the ground of Jealousies to such Demands as exceed those which (before they had joyned the injustice of forcing these things from Him to the unreasonableness of demanding them) His Majesty in His weakest Condition denied to them, He must appear to justify those Jealousies, to approve of those Demands and of that Injustice, and to condemn Himself as guilty of the woful effects of that Contention, for not having sooner consented to them. Thirdly, because He must condemn the Lords House of the same Crime, for having twice refused to joyn in that Demand, and having had no Jealousies as long as they had no Tumults. Fourthly, because He must either quit, during the lives of these several Persons required to be sworn, and at least for three years (when the *Militia* in their own Bill was asked but for two) His known Right of sole raising men, and without the consent of both Houses (even although no Parliament were sitting, for the Bill that saies it may continue, does not say it must) He must neither be able to discharge His Duty to Himself by His own Defence, nor make good His Oath, by the protecting of His Subjects against any sudden, dangerous Rebellion or Invasion; or the Commanders of all His Ships, Towns, Forts and Magazines, and all the Commanders of both Armies (that is, the most considerable *Militia* of *England*) must according to this new Oath oppose any opposition He shall make, and must be equally obliged by it to fight against His Forces, as against those of the Rebels or Invaders. Fifthly, because if He should give them so great a Prerogative,

for so long a time, as this share in the choice of men to places of so high Power and Trust, the Dependence of Subjects upon the Crown would be much diverted, and He could never expect to be faithfully served, when no other Crime of theirs appearing to Him, He should so farre devest the present Proprietaries of their legal Right, as to submit it anew to the Arbitrariness of their Confiding, who have given His Majesty no greater Cause to confide in their Choice. Sixthly and lastly, because if He should allow them that power for that time upon that Reason, He cannot doubt but against that time were ended, the Sweetness of Power being once tasted, they would be so unwilling to quit it, that the same powerful violent party would not want the like Fears to beget the like Demands of the same or greater interest, in the choice of the same or greater Places; and the same Consequences would not likewise fail to follow if these Demands were not consented to, and even His good Subjects seeing it the most prosperous, might be induced to think Faction and Sedition the wisest Course; and when they saw His Majesty give such an Encouragement to Rebellion, might think it pity He should ever be without one. And His Majesty conceives, Fear and Jealousie may be a good reason to make Him cautious how He parts with His Right, though a very insufficient justification of their forcing that from Him, to which they could pretend none.

*In His Message
of April 12.*

But still His Majesty hoped that they only insisted upon such Limitations of His Proposition, till they saw what Limitations He would offer to theirs; and therefore to reduce them to Moderation by His Example, He proposes to the Houses (for the Committee had no Power or Instruction to treat of the principal point of it) no other Limitations then were both due by Law and necessary in themselves, and offers as soon as He was satisfied in His first Proposition, (to which if they would have put Him in minde of any such Objection in the Treaty, He would never have required that the exact Computation of His Revenue taken from Him should be agreed on before Disbanding, which is now objected to Him, not as an Injustice, but as a purposed Delay) as soon as the Houses were restored to that Condition in which they were before the Tumults and these Distractions forced the Members from thence, and

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as soon as He and those Houses were secured from Tumults (only adding His own opinion, That adjourning twenty miles from *London* could only effect it, and offering them the choice of any place at that distance in His whole Kingdom) He would immediately disband, and return to His Parliament; and expected much more that this Message when it was received at *London* should have met with Bells and Bone-fires, then have received neither Approbation nor Answer.

But that violent Party which looks upon Peace like a Monster, fearing lest if the Treaty should any longer continue, so fair an approach to Peace might by degrees steal it on upon them before they were aware, prevail to return no other Answer, then immediately to send for their Committee from *Oxford*, and to send the Lord of *Essex* to *Reading*. His Majesty waits awhile, and again in a Message He had occasion to send to the Houses concerning *Ireland*, He takes His Message of May 5. occasion to put them in minde of that former Message, and to renew the expressions of His Desire of Peace: But this Message had no better luck then the other, for no Answer hath been sent to it, only in stead of an Answer, the same violent Party makes a shift to goe a step or two higher, and to prevail in the House of Commons to vote Excises upon Commodities, and the making of a new Great Seal, though the making of it will be Treason by the Statute of the five and twentieth of *Edward* the Third (and an Order of the House of Commons will be but an insufficient Plea against that Statute) and though they might have remembred, that it is by the old one that both most of them hold their Lands, and all of them are called to that House. But since His Majesty would not allow them a share in making of Peers (as they ask'd Him in their Nineteen Propositions) nor allow of their choice of Justices of the Peace (as they ask'd Him in their Fourteen) and did still pretend to making of Sheriffs (which they have denied Him by their Votes) it seems they thought it necessary to make that which (if it could be made legal by Voting) would make all those, and to end the Dispute about His Majesties Negative Voice, by passing by Commission what new Bills they pleased, and so to obtain as absolutely an unlimited Power over their fellow-Subjects as over their Sovereign Himself.

Message of
May 19.

Yet His Majesty would take no notice of all this, but sends once more, a third Message, to desire an Answer to His first (which had then lain in their hands above a Moneth.) This pressing for Peace appears so intolerable to them, that the House of Commons (as the best way to make a final end of all such Messages, and indeed to cut off all Entercourse) is prevailed with by these men to commit the Messenger, and the next day to impeach His Majesties Royal Consort of High Treason, as if they would give Him a fair warning how He trouble them about Peace again, lest His turn be next, and they impeach Him too. But though they vouchsafe His Majesty no Answer, yet the People is still thought worthy of some satisfaction : and that produces this Declaration, which pretends fully and sufficiently to shew, that in the Treaty their Demands were such and so moderate, as was fit and necessary for them to make, and just and reasonable for His Majesty to assent unto ; and His Majesties were such as had neither Reason nor Justice either in the matter or manner of them, and such as left the People no hope or expectation to see an end of their present Calamities ; and charge the King through His Counsellors in many Circumstances, before it and during it, to have laboured to interrupt the Treaty, and to have appeared averse to Peace : and in this Question His Majesty is content to accept of the Arbitrator they themselves have chosen, and to refer it to the People to judge.

Their First Argument is, That this Treaty is for the disbanding of the Armies and Forces in opposition to each other ; that these Towns, Forts and Ships are a great part of their Forces, so that for them to restore them absolutely to the King, would be for them to disband totally, and for His Majesties Forces to continue. To this His Majesty answers, That this Treaty was intended by Him to be in order to a firm and settled (that is, a just) Peace, and never to be such wherein a pretended Equality should exclude evident Justice. Let Equality determine the manner of the disbanding of the Armies raised upon these Distractions, but let Justice restore what Violence hath taken, and determine of known undoubted Rights ; since by this Argument, if any Prince seize upon any Strength that belongs to His stronger Neighbour, and Arms be taken up upon it, the stronger must never in a Treaty, when the Armies are to be disbanded,

banded, expect to have His Strength restored to Him, lest the other return to be what He was and what He ought to be, that is, the weaker of the two. Secondly, His Majesty answers, That by the same reason of Security, other Power and Prerogatives being Strength as well as Forces, and neither more vested in Him, nor less possible to be used for the Peoples hurt, they may as well require a share and interest in those too, and, that things may be made sufficiently equall between the sides, may expect to be as much Kings as He. Thirdly, in their own opinion and by their own confession (as it appears by their Argument used in the Cessation in the point of Ships) if they be but allowed the Approbation of Commanders, His Majesty gives up this strength to them, and not they to Him, and it will be their Forces, and not His, which are to continue undisbanded, and that that they say to be contrary to Equality, and (as they came by these Forces) it is evident to be contrary to Justice. Fourthly, His Majesty answers, that these Forces are not so great, or so great a Strength of the side that shall possess them, but that the Arts, Union, Industry and Violence of that Party was so much too strong for His Majesty when He had that Strength, as to take that Strength from Him; and therefore His Majesty wonders they should make any difficulty to restore what it may appear by so fresh experience that they are so able to resume: and therefore His Majesty hopes His People will attribute it to His great Desire of Peace, that He did not demand some farther security to enjoy that which is not denied to be His Majesties. And His Majesty observes that both this and the second Answer were given by His Majesty to the same Arguments made upon the same occasion by their Committee in the Treaty, and yet this Declaration repeats the same Arguments without replying to those Answers. Fifthly, His Majesty desires that the Difficulty with which His Majesty raised His Army, and the Ease with which they raised theirs, may be considered; how impossible it would have been for Him to have raised Forces, if they had not raised first, and how much flowlier (this Army being disbanded) He could raise a new one, and how quick and ready their Body of fierce, eager Sectaries and Schismatics would be to return into an Army upon the least Call, and how conveniently they inhabit for so speedy a meeting,

meeting, being to continue most of them in or so near *London*, that their Quarters in War were usually much more distant then their Dwellings in Peace: and then His Majesty doubts not but it will appear, that in this respect too the real and total Disbanding is of His Majesties part onely, and that in effect the Continuance of Forces is still of theirs.

Their Second Argument, why His Majesty should admit of their Limitations, is a bundle of Precedents. To which His Majesty replies, First, that the Records which are here quoted for these are now in the same hands as His Majesties Magazines, Towns, Forts and Ships, and therefore knows not how He can either have their Truth sufficiently considered and examined, or without it confide in their Quotations. Secondly, all the particular Circumstances both of matter and time, what induced it, and what followed it, do not herein appear (though very necessary to be known, that they may be possible to be answered.) But this His Majesty can finde upon view, That some of them concern not any part of what is now demanded, but one of them concerns a Chancellour, Treasurer, and Privie-Seal, and another concerns Privie-Councillours, and another the Protectorship, another the choice of some without whose Advice, or of four of them, nothing should be done by the King, (which it seems they have an eye upon demanding too, which made them run so much in their heads who collected these as to put them in here:) That some concern not the Persons now demanding, but conclude onely for the Merchants to chuse an Admirall, and not for the Houses to confide in him; which Precedent may be of some use to the Common-Councell, but of none to the Parliament: That some are of no concern at all, as onely about appointing of Clarks for paiment of Wages (yet put in to increase the bulk:) That hardly any of the Precedents that concern any of the things in Question, concern any more then part of those which are altogether demanded in the Limitations desired; some concerning onely the command of Ships (and those too not granted by Act, but by Commisison, and that, for ought appears, onely during pleasure;) some extending but to one Town or Place, as *Berwick* or *Jersey*: That most of these Precedents appear to have been when the Kings were in minority and under Protectors, some when they were in extreme Age and

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Impotencie, some in the Reign of a King who was shortly after deposed, in Parliament too, (an unlikely Circumstance to invite His Majesty at this time to follow that example) others in His Reign who succeeded Him, and (having no Right to the Crown but the Criminal Consent of both Houses) had reason to deny them nothing who had given Him All. And of some of the Precedents now quoted the Inconveniences are known to have been so great and so suddenly found, that they were so speedily revoked in Parliament (with no less a Brand then as being contrary to the Customes of the Realm, and to the blemishing of the Crown) that if they had ingenuously added those Circumstances, these Precedents would more have justified His Majesty for not yielding, then them for either asking any thing towards those, or but for quoting them at all. But doth any of these Precedents tell us that these Parliaments claimed any Right in any of these, or that any King yielded any degree of Power in any one of these Points to both Houses, when they had first taken them from Him by force, and rais'd an Army by Ordinance against Him, and He was in a condition to resist what they had raised ? And if either any of these Kings were so much in their Power that His Consent was as much forced from Him as these Particulars were forced from His Majesty, or if they were so farre out of Danger of any farther Encroachments upon their Power that He could have no cause of Fears and Jealousies in granting some of these to them, nay that their advice in the Choice arose wholly from His Majesties Desire, and not their Demand, then the Precedents fit not to this Case, and so make nothing for their purpose. But now that the perpetuity of this Parliament hath so farre encouraged those who by Arts and Violence have gotten power over it, that they may probably hope to make this Power as perpetual as it, and have given so sufficient Evidence what farther use they would make of any Power, His Majesty supposes Himself to have more reason to be cautious in that point then any of His Predecessors, who were content to share any part of this Power but for once, with but a temporary Assembly ; especially since their several Propositions have shewed how much more they wish, and M. *Prinne's* Books (printed by Order of a Committee of the House of Commons, signified by warrant under M. *White's* hand) have shewed
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how much more they pretend to; and since any Grant of His is desired by these men but to enable them to obtain the rest of their pretences or desires; what He yielded to them concerning my Lord of *Essex* and Sir *John Conyers* being Lieutenants of *Yorkshire* and the Tower, being prest in these very Precedents as an Argument to Him why He should grant all they ask now. On the other side, if His Majesty should make use of their own kinde of weapon, and doe the same or as great things, or make them the like or as great demands, as their Predecessors have tacitely approved of or directly assented to when they were done or made by His, (as in the just famous time of *Queen Elizabeth*, in the Case of *Stanhope* and *Savile*, or in the same time in *Wentworth's* Case, or in the Reign of *Henry* the Eighth, in the power given to Him to dispose of the Kingdome by His Will and Testament, and others of the like and near as high kinds) He believes both Houses would think what others then did; to be no argument to perswade them either to approve or consent, but would rather for ever wave all Arguments from Precedents, then direct themselves by the same Rule.

Their third Argument is, That His Majesty had formerly exprest that His Forts and Castles should be onely in such hands as both Houses might safely confide in. And His Majesty expresteth still as much; and till some just legal cause be shewed Him why the Persons now in those Commands cannot be safely confided in by them, He conceives they might safely confide in them if they pleas'd. But His Majesty did likewise once say, He would put all those places, both of the Forts and *Militia*, into such hands as both Houses should approve or recommend, unless such were named against whom He had just and unquestionable Exceptions. To which His Majesty replies, That His Offer not giving them satisfaction then, (for they would then limit no time for the *Militia*, which was the Condition of that Offer of His Majesties) and since it seems it would give none yet, (for they now ask no less for the Ships then for those, and more for both, as to the time and other circumstances, then He then offered for these) and they, by forcing those Places from Him since, and some of the Persons legally vested in those places, by their faithfulness to Him in this War, having given Him so much more cause not to yield to it now, He conceives the case to

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be so altered by all these differences, that though, out of His earnest desire to satisfy them as long as He thought them capable of satisfaction by it, He then intended what He spoke, yet He may insist upon what He now insists, without being said to have receded from His Word. Did not they refuse to accept of four Persons named in His Majesties Bill concerning the *Militia*, which themselves had but newly offered Him in their Ordinance concerning it? And had those persons in that time given them so great cause for that refusal as His Majesty hath had given Him for this? And yet will they confesse that ill Counsell prevail'd with them to recede from their words, and that therefore His Majesty had the more cause to be farther secured?

Their fourth Argument is, That unless these Limitations be granted, those secret and wicked Counsellours, that have been Instruments of the present Miseries, will have the disposing of those Places, and His Majesty carry but the Name. To this His Majesty replies, That knowing who have been the Instruments of these Miseries, He should by that believe the secret and wicked Counsellors spoken of to be the active part of the close Committee; for if He have any wicked Counsellors about Him, He confesseth they have cause to call them secret as well as wicked, since they have not only wholly concealed themselves from Him, but He having often press'd to have some named, could never obtain from them the name so much as of one, nor since hath heard so much as one proof or charge either of being wicked Counsellors, or of any Legal Crime against any of His Servants whom they have named, though they have published them withall to be incapable of Pardon: however He finds, that if what they say were true, the ends of these Counsellors and of their violent Party is but just the same, that is, to dispose of these Places, and that His Majesty may only carry the Name.

But they have found a Letter of His Majesties to the Queen, which shews that the great and eminent Places of the Kingdome are disposed of by Her Advice, (and then conclude from Her Religion, that they are by consequence disposed of by the advice of Papists and Jesuites) and that the Persons there named, even during the sitting of Parliament, are either all impeacht by them, or bear Armes against them. To this His Majesty replies, First, That He cannot but deplore the condition of the Kingdome, when Letters of all sorts,

of Husbands to Wives, even of His Majesty to His Royal Consort, are intercepted, read, brought in Evidence, and publisht to the World. Secondly, That if they will remember how farre many of those Persons of both Sexes, who have received most notable marks of Favour from Her Majesty, are, even in their own Opinion, from so much as inclining to Popery, they must confesse Her Favours and Recommendations not to be disposed of by Priests and Jesuites. Thirdly, That the Places there named, in which Her Majesties Advice may seem to be desired, are not places (as they call it) of the Kingdome, but private menial places, a Treasurer of the Household, a Captain of the Pensioners, and a Gentleman of the Bed-chamber: That concerning the other more publick Places, His Majesty absolutely declares Himself, without leaving room for Her Advice; which seems to prove the contrary to that which by this they intend to prove. Fourthly, That of the Persons there named there is not one that either is a Papist, or so like one, that a Jesuite may be thought to have recommended him, nor any one (except the Lord *Digby*) that was either impeacht or otherwise taxt, or that could appear to His Majesty to have ever been in any degree dislik'd by both or either House, before assisting His Majesty against a Rebellion did lately become Treason: and whoever considers the Time and other Circumstances even of that Impeachment, and that their eyes were then so dazled with Feares and Jealousies as to take a Coach and six Horses for an Army raised against them, will hardly look upon that Impeachment with that reverence which hath usually been paid to Accusations of that kinde. And for their bearing of Arms in such a Time wherein all His Majesties Subjects do either beare or assist Arms, either for or against Him, He supposes that it will not be thought strange, if He chuse Persons for such Places as are in His own Disposall rather out of the first sort then out of the second.

And as His Majesty hath fully answered their Observations upon His Letters, so He believes that one thing more (though unobserved by this Declaration) cannot but be observed out of them by His People; and that is, That in His Majesties most private Letters to the Person nearest to Him, wherein He cannot (as by some in His publick Declarations He is) be suspected to say any thing out of Design or Policy,

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His own clear perswasion that the Rebels, and not He, have been the cause and are the fosterers of this War and universal Distraction, and His Sense of it, and His Desire of the end of it, are so plainly exprest, that they will by this Accident be much satisfied with His Majesties Innocence and Reality, and believe that the reading this in such a Letter, is the very next Degree to reading it in His Heart.

Their fifth and last Argument is, The attempts of Force and Violence against the Kingdom and this Parliament, and they instance in four. The first is, a Designe many years since to bring into this Kingdom the *German Horse*, to compel the Subjects to submit to an Arbitrary Government. And to this His Majesty replies, That He esteems His Condition more miserable then that of any of His Subjects, when He sees a few Factionous persons have obtained that power, as to be able to publish to all His People, in the name of both Houses, a Charge which (coming forth with the semblance of such Authority) may much work with them against Him, and yet do not (which is certainly because they cannot) tell any one proof or particular either whence, whither, when, by whom, or by whose Designe these Horse should have been brought. They confess it is many years since, and it seems it is so many that these particulars are all worn out of the memory of man.

The second is, the endeavor to bring up the Northern Army by Force and Violence to awe the Parliament. To this His Majesty hath so often answer'd, and received so little Reply, that He will only now briefly say, that according to the Evidence they have published themselves, (and that before hearing the persons concern'd in it, after so long a time of the Houses leisure and their attendance, whose Answer it was perhaps feared would have cleared it more) it doth not appear that there was ever any Endeavour used in it, nor any thing further then a mere motion, which died as soon as it was conceived; and it doth appear that His Majesty absolutely dislik'd it as soon as by way of Discourse it was but named to Him: But if it had been really endeavoured, it had been but an Endeavour towards that which was directly put in Execution by the Tumults, and those countenanc'd by the Refusal of the House of Commons not onely to punish them, but so much as to joyn with the Lords in a Declaration against the like for the future, and by

the stopping the legal Proceedings against Riots by a single Order of the House.

The third is, His Majesties coming in Person to the House of Commons with many armed men to demand their Members to be delivered up. His Majesty confesseth He came; He denies that (to His knowledge) He came accompanied with any men otherwise armed then with His Guard and Pensioners, in the same manner as He usually came to the House of Lords, and with some Gentlemen (as His Train when He goes to any publick place is alwaies so waited on) with their usual Weapons, their Swords. And if they had been as carefull to publish what Persons of Quality (as Sergeant-Major *Ashly* for one) testified upon their knowledge and Oath, as what mean, unknown and unsworn Persons delivered upon their bare Credit or upon hear-say, it would have appeared to His People how little Violence was intended by any who came with Him however armed, and what Care He took, and what Orders He gave to be sure to prevent any that possibly might have happened. His Majesty likewise confesses, that He demanded the Members He had accused of High Treason; but puts them withall in minde, that the House of Commons had hardly left him any other Course, having by their single Order, the night before, intercepted all ordinary proceedings of Justice against them, forbidding all Officers to attach any Member for any Crime without the Consent of the House, and encouraging the People in that case to assist them against any Officer; though their Privileges had been confess'd by a late Petition of both Houses not to extend to Treason; and though this Order were as illegal and unjustifiable, as not onely His Majesties coming to the House, but even as any thing they would have had the People believe that He intended when He came. But whatever Breach of Privilege there was in this, His Majesty did not offer to justify it by their preceding breach of Law, but offered them often Reparation and Satisfaction for it: but it seems nothing but the Ships, Forts, Ports, Magazine and *Militia* of the whole Kingdom would appear to them a Reparation for a single, and (this Circumstance considered) perhaps a disputable, Breach of Privilege.

The fourth is, the Treason of the Earl of *Strafford*, to bring over the

the *Irish* Popish Army to conquer the Kingdom. To this His Majesty replies, That whatever the Earl of *Strafford* could have said (for this Army He is sure was never brought, nor, that He ever heard, was ever endeavoured to be brought over, either to that or any other purpose) His Majesty cannot see why it might not have remained buried with him, or why any other satisfaction should be given for it, or other security against the like, then the Punishment he hath already undergone.

Having given what Reasons they can to justify their Limitations of His Majesties Propositions, this Declaration in the next place attempts to satisfy that Reason insisted on by His Majesty, *That it is His Right by Law*, (to which they should have added, *and contrary to Law forced from Him* ;) and not being able to deny that , and yet being willing to deny something, they quarrel at the phrase, and deny that this power of disposing these Commands is by Law *absolutely* vested in His Majesty, and that because He is trusted with them for the Defence and Safety of the Kingdom. His Majesty still justifies what He said Himself, and yet confesses all that they say too, but onely denies the Consequence ; for no man is absolutely vested in any thing, if being trusted with it to some end hinder him from being so. The House of Commons is trusted with a Preparatory, the House of Lords is trusted with a Judicatory, the King, Lords and Commons are trusted with a Legislative Power, and all these have those Trusts vested in them for the publick good ; and are not yet all these Trusts absolute, that is, subject to the Controul of no other Power ? Is no man absolutely vested in his Goods, because all we have we are trusted with for the Glory of God ? His Majesty meant onely that this was so absolutely vested in Him by Law, as nothing but a new Law could without Breach of Law take or hold it from Him.

But the Declaration is content to admit that too, onely denies it to be a Reason why His Majesty should deny to alter that Law, when by Circumstance of Time and Affairs that Power becomes destructive to the Commonwealth and Safety of the People , the Preservation whereof is the chief End of the Law. And His Majesty is equally ready to confess that it is no Reason, but doth absolutely deny that this is the Case, (insisting that the circumstances

of Time and Affairs hath made this Power more necessary then ever to remain in His Majesty for the protection and safety of His People;) and He claims Himself to be as absolutely trusted by Law with the final Judgement, whether it be the Case or no, and with a Power of rejecting any such Alteration upon any such Pretence, if it appear but a Pretence to Him, as either House is trusted to propose any such Alteration to the other, or both to Him, if it appear to them necessary and convenient.

But, saies this Declaration, the two Houses of Parliament being the Representative Body of the Kingdome, are the most competent Judges thereof: and saies His Majesty, the Representative Body of the Kingdome is indeed, and that is the King, Lords and Commons; else either the Head is no part of the Body, or at least will be no longer then the Body please. Indeed the two Houses in some sense represent the Kingdom, in any Action which the Law (which is the Rule of the Kingdom) hath intrusted and enabled them to doe; but either one House or His Majesty do equally represent it in any thing which the same Law hath entrusted and enabled Him or them to doe: and for those Actions in which the Law requires the Consent of all three, every one is to be allowed their own severall distinct Judgement, for themselves only, and any one without the other two have as much Right as any two without the third, to represent the Kingdom, and to be competent Judges of the Case. And His Majesty cannot but take notice how much Reason He had not to yield to this Demand, since the grant of this Demand would be received as an Admission of this Case, and it would Logically enough follow, That if His People cannot be safe and He retain this Power, He doth not deserve to retain any: and if their Demands were granted, and the Armies upon their Demands disbanded, this Consequence in all Probability would soon be both perceived and prest.

But His Majesty may without Prejudice admit both Houses to be the most competent Judges in this particular, and then put them in minde, that before so many things had been done by the violent Party to turn the Tide of Fears and Jealousies, before they had involved the King and Subject in a common Suffering, and equally destroyed all the Property of the one and Prerogatives
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of the other by Orders and Ordinances, and so there then appeared less necessity that this power should remain in the Crown, either for the preservation of it Self or of the People, and little danger appeared to the People if this Power were thus shared; the House of Lords did then twice deliver their Judgement, That this Power in His Majesty was not become destructive to the Commonwealth and Safety of His People, nor the Alteration of this Law necessary, by twice denying to joyn with the Commons in their desire, That part (for the Ships and the Time were not then named) of this Power might be shared, and of this Law altered: by which denial the Commons were forced to Petition for it by themselves. Nor did they only deny it, but both times, in full Houses, after long and free debates, it was carried upon the Question by above Twenty Voices, and that at a time when all the Papists Lords had left the Town, and hardly any Bishops were left uncommitted (Twelve being at once clapt up upon an Accusation of Treason, which they themselves have since been ashamed of enough to wave) who were then the Persons usually represented to the People to be the evil Counsellours of the Lords House, and to whose prevalence it was imputed in the first Remonstrance of the House of Commons, that their good and necessary Motions did not pass in that House. And as they denied it twice, so they would have denied it till now, if the Petition of many thousand poor people about *London* (who certainly did not then believe the Lords to be competent Judges) and the demand of the House of Commons joyned to it, to be told the names of those Lords who denied it, and the direct Threats of so many Petitioners (to which the former Tumults gave sufficient credit that they would be really executed upon them) had not made many of the Lords to be of his minde who would not dispute with him who commanded thirty Legions, and give way to the potent Minor part to appear the Major, by absenting themselves, and suffering them to pass what they pleased. So that neither the Votes which then past to desire these particulars, nor the Execution of these Votes and seizing these particulars with a Violence yet greater then obtained the Votes, nor the multitude of Consequences of the same kinde built upon that Foundation, can at all be said to have had the Authority of both Houses; though

most of those Actions have been such, as the Authority even of both Houses, how full and free soever, would not be sufficient to justify. And this Opinion of the necessity of altering the Law in these points, was even then at most but the Opinion of the House of Commons, awed by a few Members assisted by the Common people, and together with them awing the Lords.

They next pretend heartily to wish, that the Laws and Statutes of the Kingdom may be the Rule of what is or what is not to be done; but how little fruit hath been gathered from this Tree, they say let the experience of the last Eighteen years judge. To this His Majesty replies, That it is true in some sense, they are willing these Laws should be His Rule, that is, that He goe no farther (though they will by no means allow Him to goe near so far;) but almost all their Actions, and most of their Demands, and particularly these, do sufficiently shew, that they will not admit of these Laws and Statutes to be any Rule to them. And how much better fruit they have grafted then they found growing, and whether they have not made use of the Cure and Remedy of Grievances, a Parliament, to impose more of all kind of Grievances upon the People in eighteen months, then can be objected to His Majesty or Ministers upon the breach and in the intermission of Parliaments during those eighteen years, let Experience be judge. And it cannot but appear strange to His Majesty (if any thing could still appear strange to Him) that the Illegalities under which His Subjects suffered by some of His Ministers in some part of His Reign, should be now, and by them, laid as a Charge upon Him, when not only the People have suffered farre greater Illegalities and Pressures upon the same, if not less, pretences, by those who charge Him with them; but when He hath by His Acknowledgements, by His ample Satisfactions, by the submitting the Offenders to Punishment, how great or near so ever to Him, and by His many and solemn Protestations, given security to His People that they shall never suffer the like under Him; and when they on the other side as good as profess to the People, that they think themselves obliged to maintain (and consequently are likely to continue) what they have done, because they have done it, and that their Actions shall not be retracted, lest some reflection or dishonour fall upon both Houses, and lest they may seem

seem to pronounce a sentence of injustice and rashness against themselves: this being one of the Reasons given by them, why they cannot re-admit the Members they have expelled. And His Majesty is confident that His People, when they shall consider both His Ministers Actions and theirs, and after compare His Ingenuity with their Principles, will easily conceive under whose Government they are most likely to return to the known Rule of the Law, and to find that ease, and to be continued in those Rights in and to which they were born, and of the Exorbitance of whose Power they have most reason to have any Fears and Jealousies, and against whom they have most reason to desire to be secured that they shall enjoy their Rights.

Nor do they with more colour oppose His Majesties Limitations and Conditions then they defend their own. They object against His Majesties Demand or Limitation of being satisfied in His first Proposition, That if His Ships, Forts, &c. were to be delivered before disbanding, it must after be left to the pleasure of the Papists, and other evil Counsellors about His Majesty, whether they would disband or not. But His Majesty replies, That He made not His Limitation in these terms, As soon as His first Proposition should be wholly granted to Him, but, As soon as He should be satisfied in His first Proposition; which left room enough upon debate to have agreed either upon the time of delivery, or upon sufficient caution, that after the delivery the disbanding should unavoidably follow. Nor can His Majesty look upon this Objection otherwise then as a jest, since if after the performance of part of the Conditions He had refused to perform the rest, He is perswaded that so open a breach of Faith would have given them a farre greater strength then they had parted with in the Ships and Forts, and have raised against Him a farre greater Army then He should have refused to disband.

They object against His Demand of the restitution of Members, that in His Demand no distinction is made of Persons or Offences; when the reason thereof is, that really no distinction can be made, they being all equally innocent, and all equally injuriously expelled, not only for committing no Crime, but for that Duty and Loyalty which deserves both approbation and reward. And if
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they could make any distinction in this point, or any Objection in any other, which might possibly have satisfied His Majesty, why did they not continue the Treaty, and there offer it to and debate it with His Majesty, rather then break off the Treaty without giving any Answer to any part of His Majesties Message, and to turn themselves wholly to the People, from whom no return could possibly be made that might be in order to Peace?

They object against the Reason of this Demand, [That these Members have been expelled only for adhering to His Majesty] That the same Reason may be used for the Judges who adhered to Him, by furnishing Him with great summes by illegal Judgements about Ship-money and Monopolies; and that He may as well require the Houses to repeal the Impeachments and proceedings against them. To which His Majesty replies, That by never having appear'd at all in the favour, excuse, or extenuation of the fault of those Judges (who are to answer for any unjust Judgement, in all which His Majesty left them wholly to their Consciences, and whensoever they offended against that, they wronged His Majesty no less then His People) and by His being yet so careful of these Lords and Gentlemen, it may appear that His Majesty conceives, that those only adhere to Him who adhere to Him according to Law. And whether the remaining part of the Houses be not more apt to repeal their own Impeachments and proceedings against those Judges (if they conceive they may be made of use, and brought to adhere to them) then His Majesty is to require they should, may appear by their requiring in their Fourteen Propositions, that Sir *John Brampton* (impeacht by themselves of so great Misdemeanors) may be made Chief Justice, and by their freeing and returning Justice *Barkley* (accused by themselves of High Treason) to sit upon the Bench, rather then free and imploy Justice *Mallet*, who was not legally committed at first, but fetcht from the Bench to Prison by a Troop of horse, and who after so many months Imprisonment remains not only unimpeacht, but wholly without any knowledge of what Crime he is suspected.

They next object against the Persons in whose behalf the Demand is made. And to this His Majesty replies, That to shew how farre He was from having raised this Army, or from intending to
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employ it to destroy this Parliament, or the Act for the continuance thereof, as is falsely and maliciously charged upon Him; to avoid the Objection made against Him, as if He only pretended to desire to rule by Law, but would really be the only Judge of Law Himself, and deny all Judgement to both Houses; to shew how willing He was that both Houses should be the Judges of what belong'd to them to judge, whensoever they might be in that full and free condition in which it belong'd to them to be; and to avoid the Destruction of the Kingdom, which would be occasioned by the delay of Disbanding, if that were not ended before all the present Differences; His Majesty propos'd this way of a full and free Meeting in Parliament, and to refer those many Differences between Him and the remaining part of both Houses (on which He might with Justice have insisted, and which in themselves were necessary to be settled) till they might be settled in that Meeting, and insisted for the present only upon that which was necessary for the settling of such a Meeting. And in such a Convention, if the persons now in question should upon debate have appeared guilty of such Crimes where-with this Declaration charges them, as to have deserted the House, (when intolerable Tumults and unjustifiable Votes drove them from it) to have disobeyed and contemned the Authority of the House, (for not having submitted their Allegiance to that Authority) to have neglected the Trust reposed in them, (for staying no longer where they could not with freedom discharge it) and to have by practices and Hostility endeavoured to destroy both Parliament and People, (for having assisted His Majesty, and defended His Person against an Army raised and fighting against Him;) His Majesty would have been very well contented, if the Houses should then judge so, that they should have been finally expelled, and that the People might enjoy their interest and freedom of Choice and Election, when it should have been justly devolved to them. But by their declining of this course, it is evident that they well know, in such a full and free Meeting, who would appear by most voices to be the innocent, and who the guilty, who the deserters, and who the drivers, and that then and there they would as little be able to justify their own Votes as to condemn these persons: & therefore having by Force got sole possession of the place, are wisely resolved to admit none to judge there

there of what is Law, but only such of the major part of whose Judgements they are secure, as having been made instruments to violate it.

To His Majesties demand of security from such Tumults as formerly awed the Houses, they only answer, That what is said of awing the Members is a high and dangerous aspersion, raised without doubt to invalid the Acts and proceedings of Parliament : but to the known Particulars urged by His Majesty they are wholly silent ; and neither deny such Tumultuous assemblies to have been, nor the Lords to have twice in vain complained of them, and desired the House of Commons to joyn with them in a Declaration against them ; nor can they deny but the Lords added this Reason, *Lest such Assemblies might be derogatory from the good Acts made and to be made in this Parliament* ; all which Acts nevertheless that House undoubtedly did not intend to invalid, either by that desire or by that reason. Nor can any man, that hath seen what Protestations His Majesty hath taken, (all which He doth now again renew) for maintaining of the Laws consented to by His Majesty this Parliament, but sufficiently free His Majesty from the aspersion of having rais'd this to invalid those. But if they mean by their Proceedings, the Votes, Orders, Ordinances and Declarations, wherewith they have almost daily oppressed His Subjects and defamed His Majesty since those Tumults , if they mean the countenance they have given by personal Contributions, by Oaths, by Commissions of Generalship and the like, to the present Rebellion raised against Him ; He then confesseth, not that He rais'd this Aspersion, but that He declared this Truth, as an argument of the more evident invalidity of their present proceedings, which those Tumults, (and apprehensions of the like, and of an Army now in the City to boot) rather than the inclination of both Houses, may appear to have produced. And this appears to be no lesse their Opinion too, by their being so infinitely unwilling to suffer the Members to meet in so secure a manner , that they may be hindred by no awe from declaring to all the world whether they were awed before or no ; and thence the world may judge of these mens aversion from all Agreement, when in order to so blessed a thing as Peace, they refuse so just a demand as Security.

They next object against Adjourning twenty miles from London :
and

and in the first place they object against it, That in making that a Condition of Disbanding to which by Law they are not bound to consent, His Majesty requires a new Law by Arms. In which they are wholly deceived, for His Majesty never made it a Condition : to have Security for Himself and both Houses from Tumults (which they cannot deny to have been, and against which notwithstanding they do not offer any other kind of Security) His Majesty did demand as a Condition, (and Security is undoubtedly His Majesties due by Law;) but the Adjournment was only express'd as that which His Majesty only conceived to be the only Security ; not but if they could find a better or but another way, His Majesty would as readily approve of it. But His Majesty appeals to the world, whether His Majesty ought to have done less for His Safety and that of the Members, and the freedom of their Votes, then to demand Security against Tumults ; whether He could doe more for Peace, then to be ready to accept any sufficient Security that they should offer, and withall to be industrious to find out a fit means for that Security Himself, and to propose it in so large a manner to them, as to leave them to chuse their own place out of all the rest of *England* ; and whether on the other side they could doe less toward either, then not to grant the Security, when they cannot deny the Danger, and not only not to seek after and offer any one way that might secure, but so absolutely to refuse that reasonable way of Security which is offered to them ; whether the inconvenience of removing Records twenty miles ought to be in any balance with the Miseries of a War ; whether the avoiding of this (but tacite) confession of that Truth, (which they call a Scandal, but can never prove one) that His Majesty was forced for His Safety to withdraw from His Parliament, (of which the Army raised without His consent, to bring in triumph to the Houses Persons accused of High Treason by Him, were alone a sufficient testimony) and that the Members were awed (when their Names were sometimes demanded, and sometimes posted, their Persons laid hands on, and the Tumultuous multitude neither punisht nor discountenanc'd so much as by a Declaration ;) whether the fear left *London* (in which and by a part of which all this was done) should seem to suffer under a Charge ; and lastly, whether the Doubt, left in any place out of *London* His Majesty should again come to the House of Commons with armed men, (upon what apparence of Right, after what orders against His known

Right, and with how little either intention, offer or colour of Violence He came thither, having been shewed before) can appear a sufficient Reason for their Resolution against such an Adjournment, in order to the publick Peace: and whether, although there were no necessity of it but His Majesties Desire, (Who out of compliance with them hath put the absolute Power out of His own hands, not only of Adjourning the Parliament whither, but of Dissolving it when He pleased) it might not seem no unreasonable Request after so large a Grant.

Their third part is, to prove His Majesties aversion to Peace by several Circumstances. The first is, His having denied to receive their Petitions: which His Majesty never did. For if they mean (which was all He ever did towards any refusal) His refusing to receive any from or by any person accused of High Treason by Him, (when they had other and more direct waies of sending to Him (as they had) then by the Earl of *Effex*, if they had not gone out of their way out of desire to have it refused) they may as well say, He hath refused all that have ever since come to Him from them, for He continued alwaies to make that Exception: and if their hope of present and total Victory had not made them insist upon that before *Edge-hill* which they quitted after, the Petition offered to have been sent from my Lord of *Effex* from the head of his Army had been then received too by any other kind of hand; though, if His Majesty were rightly informed of the Contents of that Petition, neither their offer of such a Petition could shew any inclination to Peace in them, nor could His absolute refusal have shewed any aversion to it in His Majesty.

The second is, That their Committee must not, without a special safe Conduct and Protection from Him, have Access to Him; a Liberty incident to them not only as Members of the Parliament, and employed by both Houses, but as they were free-born Subjects. To this His Majesty replies, That He never denied their Committee to have access to Him without a safe Conduct, nor did He ever so much as mention any to them. The first motion concerning a safe Conduct was in a Letter from the Lord *Grey of Wark*, Speaker *pro tempore* of the Lords House, to either of His Majesties Secretaries, dated the third of *Novemb. 1642.* desiring one for that Committee which after attended His Majesty at *Colebrook*; and the same was again desired for the Committee appointed to treat at *Oxford*, by a Letter from the

Earl

Earl of Manchester, Speaker of the same House, to the Lord Falkland, dated the 28 of February. And must it not seem strange to all the World, that His Majesties granting of that which both Houses in order to the Treaty ask'd of Him, should be after charged upon Him as a provocation laid in the way to interrupt or break off the Treaty? And since undoubtedly (and that reasonably) it would have been interpreted aversion in His Majesty from Peace, if He had denied this when it was ask'd; His condition was very hard, when, it seems, He could not either way have avoided this imputation, whether He had denied or granted it. But His Majesty desires His Subjects to consider the great difference between what His Majesty hath cause to complain of, and what they do. Master Alexander Hampden, imployed by His Majesty with an Olive-branch, a Message for Peace directed to both Houses, inclosed in a Letter to the Speaker of the Lords House, having His Majesties pass testifying that he was so employed, having delivered this Message to the Lords House, and that House having received it as a gracious Message, is committed by the House of Commons (notwithstanding the liberty of access said to be incident to all free-born Subjects) for not having a safe Conduct from their General, upon pretence of an Order of that House but lately made, and never past the Lords, nor publish'd by themselves: and notwithstanding that the Lords at a Conference desired the Messengers release upon the aforesaid reasons, and that he was sent to them, and that their own Messengers had divers times of late gone to Oxford in the same manner, and none of His Majesties had come otherwise, yet the onely Answer returned was, *That they would stand to their own Order.* Upon which His Majesty cannot but observe, First, that how great Authority soever both Houses expect to have with His Majesty, yet one House hath but a little with the other: Secondly, That the Privilege of that House is as little considered as their Intercession, since undoubtedly, if the Lords (who in many cases have power to commit, which the House of Commons hath not over more then their own Members, in any case but of breach of Privilege) had committed a Messenger sent to the House of Commons (especially from any to whose Messengers they paid half that respect which they owe to His Majesties) upon an

Order only of their own House, and having committed him without their consents, should not release him at their desire, it would have been lookt upon by them as no less a breach of Privilege then His Majesties coming to their House: Thirdly, That by this His Majesty hopes that the Violent party doth now see better times are not far off, since He is told by this very Declaration, That *evil Spirits do then rage most, when they think they must be cast out.*

The grounds of their third and fourth (for such as have been taken notice of by the by, and replied to before, need not to be repeated) are these. During the Treaty two Proclamations issued at *Oxford* against Associations, and raising of Forces and Taxes by virtue of Ordinances, in which His Majesty charges a Traitorous and Rebellious Army of *Brownists*, *Anabaptists*, and *Atheists*, (but not both Houses, as, for want of being charged, they charge themselves) to endeavour to take away His Life, and the Religion and Laws of the Kingdom. And some Letters were intercepted, by which, they say, it probably appears to them, that His Majesty had then designs upon *Killingworth*, *Scarborough* and *Bristol*. But His Majesty thinks it strange that it should be expected, that this Treaty should have so much influence on one side, and so little on the other; that during the Treaty Taxes may be illegally laid and levied, and His Majesty may not legally forbid them; that Souldiers of the Earl of *Essex* his Army daily rail against Episcopacy, break into Churches, pull down Organs and Monuments, tear Surplices and Common-Prayer-Books, and His Majesty may not call them *Brownists*; that that Army may go on daily during the Treaty in overt acts of Rebellion and Treason, and it must be an Interruption of the Treaty in His Majesty to call them Rebels and Traitors; that He may not say they endeavour to take His Life, who have shot at Him as often as He hath come within Cannon shot of them; and that the Treaty should not oblige them from taking any Town or Castle of His Majesties from Him, and yet His Majesty be obliged by it neither to regain any of His Towns, nor receive any of His own Castles; that Sir *William Waller* may really take *Malmesbury* and *Teukesbury*, and His Majesty must not so much as think of *Scarborough* or *Bristol*; upon which City as His Majesty doth avow to have had a Designe to recover it from the Rebels, so He absolutely denies it to have been
either

either bloody or barbarous, Epithets which they are pleased to give it, but for what reason He cannot imagine, His Majesty abhorring all thought of what is printed at *London*, That it was intended, man, woman and childe should have been all killed in that Town, that had not such a Word or wore not such a Ribband: though some Word or mark might well be agreed on, not with intention to kill all that had it not, but that more particular care might be taken of their protection that had it, not only from all danger, but from all disrespect. But the execution upon cold blood of some of the principal Citizens of that City for their Loyalty to His Majesty upon a single Order, without the least colour of any Legal proceedings, will appear to all men most barbarous and bloody, and such a Murther as His Majesty must not leave unrevenged, nor can His Subjects look upon otherwise, then as purposely now committed to make Peace yet more impossible, and as an earnest of that intolerable Arbitrary Government which they must alwaies expect to suffer under, if that Violent party should prevail.

Since therefore, notwithstanding these frivolous Objections, His Majesties Desire of Peace (by His earnestness for it both before, and during, and after the Treaty) doth so fully appear; and since their inclination to the contrary, (by their most earnest and utmost endeavours to hinder both the beginning, continuance, and renewing of the Treaty) is no less evident; since in the Treaty His Majesties main aime was the immediate disbanding of the Armies, and that Differences might be debated in a full and free Convention in Parliament, and that to that end the Parliament might be restored to the natural and genuine Condition, and all things only restored into that state wherein they were when the Houses were full and free; since His Majesty askt nothing that they could deny to be due to Him by Law, and His Majesty denied nothing that themselves could claim by Law to belong to them, nor any one thing of that publick necessity or value as deserves the shedding of one drop of that Sea of blood which will be spent in this unnatural Quarrel; since His Majesty made the last most reasonable Proposition, and they will never suffer it to be granted nor debated, and three Messages of His Majesties cannot obtain one Answer; His Majesty hopes that the scales will now fall from the eyes of

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His most blindly-seduced Subjects, and they will now be able do discern both their Duty and their Interest by so clear a Light, that it will be no longer in the power of this Violent party to ingage them to be Wicked that they may be Miserable, and by opposing Justice to destroy Peace. And His Majesty doth most earnestly conjure those whose fault hath hitherto proceeded rather from want of heat than want of light, who out of too much care of their private safety have been either lookers on, or have at once dislik'd and countenanc'd these Courses, that they at last rouze up their Courage to take part with their Conscience, and fear to be Damned more than to be Plundered, and consider that if they will desert and oppose that Party whom their Tameness only makes considerable, and unite themselves with but half that industry to defend His Majesty, and the Religion and Law establish'd, which the others use to destroy them all, they may avoid the One, and be in no danger of the Other, their numbers being such, that if they once but knew one another, by merely joyning to appear to think as they do, they might speedily end this (truly styl'd by them) the worst kind of War, both as it is of *English* against *English*, and of Subjects against their Prince. But if they shall still suffer themselves to be carried away with the Stream, they will by that suffer the Power of the Violent party to take so deep a root (by being seized of all the Arms, Ships, and strong places of the Kingdom) that if they should happen to prevail in this War against His Majesty, they will (in despite not only of them, but of their present Rulers, if they should be willing to divert them) extirpate the Law Root and Branch, alter the whole frame of Government, introduce Democracy, Independence and Parity, and leave neither King, Church nor Gentleman: and (besides that they will then appear to themselves guilty of this intolerable Innovation which they have not timely enough oppos'd) this Party will then forget that they did not oppose them at all, and remember that they did assist them but a little, will distinguish between those who assisted them out of zeal and out of fear, and who are now call'd Moderate, they will then call Malignant, and the Inequality, Injustice and Oppression they will then endure, will too late discover to them to their Costs, that they have undone themselves with too much Discretion, and obtain'd nothing by their unjustifiable cautious Compliance but to be destroyed last.

By

By the King.

A Proclamation warning all His MAJESTIES good Subjects no longer to be misled by the Votes, Orders, and pretended Ordinances of one or both Houses, by reason the Members do not enjoy the Freedom and Liberty of Parliament: With His MAJESTIES gracious offer of Pardon to the Members of both Houses, and of Protection to such of them as shall repair to Him.

WHereas We have been long since driven by Force and Violence from Our Palace at *Westminster*, (the place of sitting for Us and Our two Houses of this Parliament) so that We could not with safety of Our Life be present with Our great Council, and much the greater part of the Members of both Houses of Parliament have been likewise driven by Tumults and Force for their safety from their Attendance upon that Council, the said Members having been threatned and assaulted for delivering their Opinions freely in the Houses, or have out of Conscience and Duty withdrawn themselves from being present at the Debates and Resolutions which they have well known to be so contrary to their Duty and Allegiance, or for so withdrawing, or for freely speaking in the Houses, have been expelled or suspended from being Members of that Council, contrary to the antient practice and just Privileges of Parliament; since which time, and by which means, a great and Rebellious Army hath been raised against Us, under the Command of *Robert Earl of Essex*, which Army hath not only endeavoured to take Our Life from Us in a set Battel, but the same, and other Forces raised by the like means, have committed all the Acts of Outrage, Robbery and Murther upon Our good Subjects throughout the Kingdom, and still continue to doe the same: and though in truth a very small part of that great Council remain there together, yet under pretence of having the countenance of Our two Houses of Parliament, some Seditious Persons assume to themselves (with the assistance of those Rebel-

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lious Armies, and of divers mutinous and desperate *Brownists, Anabaptists*, and other ill-affected Persons in Our City of *London*, by whose means they awe such Members of both Houses who yet continue amongst them) a power to doe things absolutely contrary to the Laws of the Land, and destructive to Our Rights, and to the Liberty and Property of the Subject, and to alter the whole frame and Government of this Kingdom, disposing of the Lives and Fortunes of Us and Our good Subjects according to their discretion, subjecting both to their own unlimited Arbitrary Power and Government: We have onely accused some particular Persons, whom We well knew to be the Authors and Contrivers of these desperate Counsels and Actions, and have forbore to censure or charge the whole number of the Members remaining, by whose Orders and Authority the evils have been pretended to be done, well hoping that the Sense of the miserable Distractions of the Kingdom would at length have brought them to discern where they had erred, and Our often Messages and Complaints of the Violence offered to Us, and to the Members of both Houses, would have procured Justice and Redress, and that the Power and Reputation of such amongst them who wished well to the Peace of the Kingdom, and Honour and Dignity of Parliaments, would at last have so farre prevailed, that a right understanding might have been begotten between Us and Our People, and all shew of Force and Violence so taken away and suppressed, that We might in a full and peaceable Convention of Parliament, with the Advice of that Our great Council, have so settled the present Distempers, that there might be no fear left of the like for the future. But finding to Our great grief, that the power of those Seditious Persons who first contrived these desperate and bloody Distractions continues so great, That as they have driven and now keep Us and the much greater part of both Houses from being present at that Council, so they so farre awe those who remain there, that they cannot with freedom give their Votes and Resolutions according to their Consciences, and the Laws and Constitutions of the Kingdom: That the Members of both Houses have been compelled to make Protestations to live and dye with the Earl of *Essex*, the General of the Rebellious Army, and other unlawful and Treasonable

sonable Protestations, and that such who have refused to take the said Protestations have been expelled and imprisoned for such their refusal ; That the great Affairs of the Kingdom are managed and concluded by a private Committee without being ever reported to the Houses, contrary to the Laws and Rules of Parliament ; That the Common-Council of *London* (most of them being Persons factiously chosen out of *Brownists*, *Anabaptists*, and such who oppose the regular wholesome Government of that City, and have promised themselves the destruction of the Church) are grown the Superintendents over both Houses, and obtrude upon them what Conclusions and Resolutions they please ; That they take upon them to justify this Rebellion against Us, and have presumed, under pretence of the Order of both Houses, to invite Foreign Forces to invade this Kingdom ; to send Agents to Foreign Princes, to negotiate and treat with them in their own names ; to imprison Our good Subjects contrary to Law, prohibiting Our Judges to grant *Habeas Corpus* according to Law ; to introduce a new Clergy throughout the Kingdom, by displacing Godly Learned Divines, without the least colour of Law or judicial proceedings, and putting ignorant Seditious Preachers in their Places, to poison the hearts of the People ; to countenance the vilifying of the Book of Common-Prayer established by the Law of the Land ; to seize, levy, and take away what they please of the Estates and Fortunes of Our Subjects, by disposing of the Twentieth Part of their Estates, by exhausting them with insupportable Weekly Taxes, for the maintenance of their Rebellious Army, and by endeavouring to lay odious Excises upon Victuals, Goods and Merchandize of Our People for the same purpose, whilst they suffer Our poor Protestant Subjects of Our Kingdom of *Ireland*, whose defence was undertaken by Our two Houses, and that Army raised for the suppressing that horrid Rebellion, to be starved, and in danger of disbanding, or necessitated to desert that Kingdom for want of Money, Victual and such other necessities as were to be provided for them by Act of Parliament, out of those Moneys which they have spent to destroy Us and this Kingdom ; by exacting from Merchants Tonnage and Poundage, and other Impositions upon Merchandizes as well Native as Foreign, contrary to an Act made this present Parliament,

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with a penalty of *Premunire* on those who shall pay or receive it; And lastly, that they have (after the breaking of the late Treaty by a peremptory recalling the Committee, who in truth during their abode with Us had no power to Treat, by reason of their strict Limitation) so farre rejected all possible means and Overtures of Treaty and Accommodation, that in stead of answering Our gracious Messages, the House of Commons hath imprisoned Our Messenger sent by Us to them to invite both Houses to an Accommodation, and especially to move them to take such a course for the freedom of Parliament, that We might safely advise with that Our great Council for the settling those miserable Distempers; and have maliciously and in Contempt of Us (and after an attempt to murder Her at *Burlington-Rode*, the place of Her Landing) impeached Our Royal Consort of High Treason, for assisting Us with Arms and Ammunition to defend Us from this Rebellion: 'Tis time now to let Our good Subjects know, that they may no longer look upon the Votes and Actions of the Persons now remaining as upon Our two Houses of Parliament, Freedom and Liberty to be present, and of Opinion and Debate there, being essential to a Parliament; which Freedom and Liberty all men must confess to be taken away from this Assembly, when they remember the great Tumults brought down to awe and terrifie both Houses, and that they were then brought down when any great Debate was in either House, and not like to be so carried as some Seditious persons who governed those Tumults did desire; that in the greatest heat and fury of those Tumults, the principal Governors amongst them directed the unruly People to goe to *White-hall*, where Our own Person then was, and designed by force to have surpris'd the Person of Our Son the Prince; that when it was desired that a Declaration might be made against such Tumults, in stead of consenting thereunto, the Tumults themselves were justified, and when a Legal course was prescribed by the Lords, and taken by the proper Ministers of Justice, to suppress and prevent such Tumults and Riots, that Legal course was superseded by those who were then present of the House of Commons, and the Ministers of Justice punished and imprisoned for executing the Law; when they remember that several Members
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of either House have been threatned and assaulted in those Tumults; and their own Names proscribed as Persons disaffected, because they freely used to speak their Consciences in both Houses; that the House of Peers have been so farre threatned and menaced, that the Names of those have been with Threats demanded by the House of Commons at the Barre of the Lords House, who refused to consent to this or that Proposition which hath been in debate before them, and Tumultuous Petitions countenanced which have been presented to that same purpose; that the Members of both Houses have been imprisoned and forbid to be present at those Counsels, for no Reason but because their Opinions have not been liked; that Our Negative Voice (Our greatest and most sovereign Privilege) is boldly denied; that a presumptuous Attempt hath been made by the major part of the remaining part of the House of Commons to make Our Great Seal of *England*, the making of which by the expresse Letter of the Law is High Treason, and would subvert the antient and fundamentall Administration of Justice; that at this time We and the major part of both Houses are kept by a strong and Rebellious Army from being present at that Council, and that those who are present are by the same Army aw'd and forced to take unlawful and Treasonable Protestations to engage their Votes; and that such Resolutions and Directions which concern the Property and Liberty of the Subject are transacted and concluded by a few Persons (under the name of a Close Committee, consisting of the Earl of *Manchester*, the Lord *Say*, Master *Pym*, Master *Hampden*, Master *Stroud*, Master *Martin*, and others, the whole number not exceeding seventeen Persons) without reporting the same to the Houses, or having the same confirmed by the Houses, contrary to the expresse Law and Customes of Parliament. All which for the matter of Fact We are ready to make proof of, and desire nothing but to bring the Contrivers of all the aforesaid Mischiefs to their Triall by Law; and till that be submitted to, We must pursue them by Arms or any other way, in which all Our good Subjects ought to give Us assistance to that purpose: The imagining the Death of Us, Our Royal Consort, or Our Eldest Son, the Levying Warre against Us in Our Realm, or adhering to Our Enemies in Our Realm, giving to them Aid or Comfort, the counterfeiting Our *Great Seal* or Money,

Money, being by the expresse words of the Statute of the 25 year of King *Edward* the 3. chap. 2. High Treason. And how applicable this is to those who have actually borne Arms against Us, and to those who have consented that such Arms be borne, to those who have promised to live and dye with the Earl of *Essex*, and those who every day consent to some Act for the support and encrease of that Army, We shall leave to all the World to judge; and hope that this gracious Warning and Information now given by Us will make that impression in the hearts of Our People, that they will no longer suffer themselves to be misled from their Duty and Allegiance upon any pretences whatsoever. And We do declare, That We shall proceed with all severity against all Persons whatsoever who shall henceforward assist, Vote or concur in any kinde toward the maintaining or countenancing such Actions and Resolutions, which by the known and expresse Laws of the Land are High Treason, and against all those who shall adhere to them who are in Rebellion against Us, as against Rebels and Traitors, in such manner as by the Laws and Statutes of the Realm is directed and appointed. And since by the power of Seditious Persons We and both Houses are kept from being secured against Tumultuous Assemblies, and both Houses from Adjournment to some place of Safety, which being done might quickly make an end of these miserable Distractions, whereby We are debarred from the benefit and advice We expected from that Our great Council, the Members thereof being scattered into several places; therefore that the whole Kingdom may see that We are willing to receive Advice from those who are trusted by them, though We cannot receive the same in the place to which they were called, for the Reasons aforesaid, nor intend to receive Advice from them elsewhere in the capacity of Houses of Parliament, We do hereby declare, that such of the Members of both Houses, as well those who have been by the Faction of the Malignant Party expelled for performing their Duties to Us, and into whose Rooms no persons have been since chosen by their Countreys, as the rest who shall desire Our Protection, shall be welcome to Us at Our City of *Oxford*, untill by the Adjournment of the Houses to some fit and free place, or otherwise due course be taken for the full and free convention in Parliament of Us and all the Members of
both

both Houses. And for their better encouragement to resort to Us, We do hereby Will and Command all the Officers and Souldiers of Our Army, to suffer all such Persons who are Members of either House, with their Attendants and Servants, to come to Us to this Our City of *Oxford*. And that none of Our good Subjects may believe that by this Our necessary Declaration against the Freedome and Liberty of that present Assembly, We may have the least intention to violate or avoid any Act or Acts passed by Us for the good and benefit of Our People this Parliament, We do hereby declare to all the World, That We shall, as We have often promised, as inviolably observe all those Acts, as if no such unhappy Interruption had happened of the Freedome and Liberty in that Councell; and desire nothing more then to have such a free Convention in Parliament, that We may adde such further Acts of Grace as shall be thought necessary for the Advancement of the true Protestant Religion, for the maintenance of the Liberty and Property of the Subject, and the preservation of the Liberty, Freedome and Privileges of Parliament. And that all the World may see how willing and desirous We are to forget all the Injuries and Indignities offered to Us by such who have been misled through Weaknesse or Feare, or who have not been the principal Contrivers of the present Miseries, We do offer a free and general Pardon to all the Members of either House, (except *Robert Earle of Essex*, *Robert Earle of Warwick*, *Edward Earle of Manchester*, *Henry Earle of Stamford*, *William Viscount Say and Seal*, *Sir John Hotham Knight and Baronet*, *Sir Arthur Hesilrigge Baronet*, *Sir Henry Ludlow*, *Sir Edward Hungerford*, *Sir Francis Popham*, Knights, *Nathaniel Fiennes*, *John Hampden*, *John Pym*, *William Stroude*, *Henry Martin* and *Alexander Popham*, Esquires, *Isaack Pennington Alderman of London*, and *Captain Venne*, who being the principal Authors of these present Calamities, have sacrificed the Peace and Prosperity of their Country to their own Pride, Malice and Ambition, and against whom We shall proceed as against Persons guilty of High Treason by the known Laws of the Land, and shall in the proceeding be most carefull to preserve all Privileges in the fullest manner that by the Law or the usage of former times is due to them) if they shall within Ten daies after the publishing this Our Proclamation return to their Duty and Allegiance to Us. And lastly, We further enjoyn and command all Our

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Subjects

Subjects upon their Allegiance to Us, as they will answer the contrary to Almighty God, and as they desire that they and their Posterity should be free from the foul Taint of High Treason, and as they tender the Peace of this Kingdome, that they presume not to give any Assistance to the before-mentioned Rebellious Armies in their Persons or Estates in any sort whatsoever, but joyn with Us, according to their Duty and the Laws of the Land, to suppress this horrid Rebellion. And Our Pleasure and Command is, That this Our Proclamation be read in all Churches and Chappels within this Our Kingdome.

Given at Our Court at *Oxford*, the twentieth day of *June*, in the Nineteenth year of Our Reign.

God save the King.

A DECLARATION

A
DECLARATION
CONCERNING THE CESSATION
IN IRELAND.

ALSO
DECLARATIONS
AND PASSAGES
OF THE PARLIAMENT
AT OXFORD.

(Hh 2)

THE S.A. IN
H. N. A.

1910

The Grounds and Motives inducing His MAJESTY to MDCXLIII.
Octob. 19.
agree to a Cessation of Arms for one Year with the Roman
Catholicks of IRELAND.

AS there hath been no Argument with which the Minds and Affections of Our People have with more Subtilty and Malice been infected and corrupted, by the great Authors and Contrivers of this unnatural and odious Rebellion in *England*, then with the gross and senseless Imputations of Our neglect of Our poor Protestant Subjects in *Ireland*; so there is no Calumny of theirs against which We can with more Confidence, Clearness and Integrity justify Our Self and all Our Actions before God and Man. We will not now trouble Our Self with the remembring Our several Messages and Importunities to Our two Houses of Parliament in that business; Our offer to engage Our own Royal Person in that Warre, and the scornful rejection of that offer; Our consenting to all Propositions and Acts proposed to Us for the raising of Men or providing of Money for that Service, till it was evident that Men and Money being raised under pretence of quenching the Rebellion there, were both employed in kindling and maintaining the Rebellion here; Our granting a Commission to Persons named by themselves, for the managing the Affairs of that Kingdom, according to Instructions drawn by themselves, not one of which have been observed by them: We shall have occasion of publishing all these particulars in a full and clear Narration to the World, that all Our good Subjects may see that the same men (and only they) who have brought all these Miseries and Calamities upon them here, have been the Promoters (if not the Contrivers) of the Miseries of their Brethren in *Ireland*, by preventing those Remedies, and diverting that Assistance which, being seasonably applied, might have eased that poor People of many of those Calamities they have since endured. But for the present We shall only (being to publish the Articles of Cessation agreed on Our behalf by the Persons trusted by Us in that Kingdom) let Our good Subjects briefly know the Grounds and Circumstances of that Treaty and Conclusion.

About the Moneth of *November* last (after We had been advertised, as well by Our Council-Board of that Kingdom, as several Petitions and Remonstrances of all the principal Commanders and Officers of Our Army, of the miserable condition of Our Forces there, by the extreme want of Money, Victuals and Ammunition; of which they were so farre from being like to receive supply from Our two Houses here, who had undertaken to defray those Charges, that We had had too sad experience, that both the Money raised by Act of Parliament, and the Men raised by Our own Commission for that purpose, were imployed against Us in that Rebellious Army which not long before had given Us Battel) a short Petition was sent to Us by the Lords Justices and Council of that Kingdom, which they had received in the name of the *Roman* Catholicks of Our Kingdom of *Ireland*, directed to Us, in which nothing was desired of Us, but that We would appoint some Persons to hear what they could say for themselves, with many expressions of Duty and Submission to Us. Shortly after, in the end of that Moneth, or beginning of *December*, the Committee for *Ireland* attended Us at *Oxford*, and set forth by their Petition, *That all passages by which Comfort and Life should be conveyed unto that gasping Kingdom seemed totally to be obstructed, and that unless timely Relief were afforded, Our Loyal Subjects there must yield their Fortunes a prey, their Lives a sacrifice, and their Religion a scorn to the mercileß Rebels.* Hereupon We granted a Commission to some Persons of Honour and Trust to meet and conferre with such Persons as the Rebels should imploy, but without power to conclude any thing, or with other authority then only to receive such Propositions as they should make, and to derive the same to Us. The meeting upon this Commission produced little effect, inso-much that the Lieutenant-General of Our Army there (whom We trusted principally in that Commission) being *unsatisfied with the Cavils and proceedings of the Rebels*, in *February* marched out with 2500. foot and 500. Horse, to force Victual and Provision from them for the subsistence of Our Army; in which Expedition he performed those good services which are known to most men: so that all men may observe, the discourse or expectation of a Treaty caused Us not to omit any opportunity which was offered for Our advantage. No Success of Our Army there (though God blessed it then

then with a very great Victory) could supply those extreme wants they suffered, by not having received any Relief either of Money or Viſtual in above four Moneths from hence; and therefore the Lords Juſtices and Council by their Letter of the 16. of *March* ſignified unto Us, *That the State and Army there were in very terrible want of means to ſupport a Warre, and that unleſs ſupplies of Money, Munition, Arms, Cloaths, and other Abiliments of Warre were ſpeedily ſent thither, there was little hope to eſcape utter Deſtruction and Loſs of the Kingdome.* And by their Letter of the 4th of *July*, after mentioning how often and how much in vain they had recommended their condition to the Two Houſes, they told Us plainly, that unleſs the ſupplies then mentioned in their Letters to the Speaker of the Houſe of Commons, (a Copy of which was ſent to Us) were forthwith ſent to them, *that Our Army would be forced through wants to diſband or depart the Kingdome, and that there would be nothing to be expected there but the inſtant Loſs of the Kingdome, and the deſtruction of the remnant of Our good Subjects yet left there.* In ſtead of any redreſs or relief according to theſe Letters, ſuch Ships as were by the care and charity of ſome well-affected Perſons provided to transport Clotahs and Viſtuall to them, were in their voiage thither ſeized and taken by the Ships under the Command of the Earl of *Warwick*, and in ſtead of endeavours to ſend more Forces thither, attempts were made to draw the *Scotch* Forces from thence into this Kingdom. So that We thought Our Self bound in Duty and Conſcience, ſince it was not in Our power otherwiſe to preſerve that Kingdome from utter Ruine, at leaſt to admit any Expedient which with God's bleſſing might be a means to preſerve that People; and therefore We directed the Lord Marqueſs *Ormond* (whom for his Courage, Affection and Loyalty, We had made Our Lieutenant-General of that Our Army, and who having gotten ſo many notable Victories upon the Rebels, was very well approved of by the two Houſes of Parliament) to agree on Our behalf to ſuch a Ceſſation of Arms with the Rebels, as upon his underſtanding and knowledge of the condition of Our Affairs there ſhould be thought reaſonable. This Ceſſation was concluded on the 15. day of *September* for one whole year; and the Articles thereof, printed at *Dublin*, were ſent to Us by Our Lords Juſtices and Councell, and arrived here on Saturday laſt, with a Letter from them

to one of Our Secretaries, expressing the *great sufferings of Our Army there, through want of relief out of England*. We have thought fit with this true and plain Relation to publish the said Articles according to the Copy sent Us, that all Our good Subjects may see how We have proceeded herein. What opinion the principal Persons as well of Our Council as the Officers of Our Army there have of this Cessation, may appear by the testimony which We have caused to be Printed after the Articles, with their names who have set their hands to the same. And let all Our good Subjects be assured, that as We have for these Reasons, and with this Caution and deliberation, consented to this Preparation to Peace, and to that purpose do continue Our Parliament there; so We shall proceed in the accomplishing thereof with that care and circumspection, that We shall not admit even Peace it self, otherwise then as it may be agreeable to Conscience, Honour and Justice.

By the Lords Justices and Council.

Jo. Borlase. Hen. Tichborne.

UPon consideration had of the annexed Articles of Cessation of Arms, whereby it is concluded and accorded, that there be a Cessation of Arms, and of all Acts of Hostility, for one whole year, beginning the fifteenth day of September, Anno Domini one thousand six hundred forty three, at the hour of twelve of the clock of the said day; we the Lords Justices and Council, according to His Majesties Letters of the one and thirtieth of July last, do by this Proclamation in His Majesties Name ratifie, confirm and publish the same; and do require all His Majesties Subjects whom it may concern, by Sea and Land, to take notice thereof, and to yield all due Obedience thereunto in all the parts thereof.

Given at His Majesties Castle of Dublin, the 19th day of Septemb. 1643.

R. Bolton Canc.

La. Dublin.

Ormonde.

Roscomon.

Edw. Brabazon.

Ant. Midenfis.

Cha. Lambart.

Geo. Shurley.

Gerard Lowther.

Tho. Rotherham.

Fr. Willoughby.

Tho. Lucas.

Ja. Ware.

GOD SAVE THE KING.

Articles

ARticles of Cessation of Arms agreed and concluded on at Singingstown in the County of Kildare, the 15. day of September, in the nineteenth year of His Majesties Reign, by and between James Marquess of Ormond, Lieutenant-General of His Majesties Army in the Kingdom of Ireland, for and in the Name of our Gracious Sovereign Lord CHARLES, by the Grace of God King of great Britain, France and Ireland, &c. by virtue of His Majesties Commission, bearing date at Dublin, the last of August, in the said nineteenth year of His Majesties Reign, of the one part; and Donnogh Viscount Muskery, Sir Lucas Dillon Knight, Nicholas Plunket Esquire, Sir Robert Talbot Baronet, Sir Richard Barnewell Baronet, Torlogh O-Neal, Geffry Brown, Ever Mac-Gennis, and John Walsh, Esquires, authorized by His Majesties Roman Catholick Subjects, of whose party they are, and now in Arms in the said Kingdom, &c. to Treat and conclude with the said Marquess for a Cessation of Arms, by virtue of an Authority given unto them, bearing date at Cashell, the 7. day of September, in the said nineteenth year of His Majesties Reign, of the other part.

First, It is concluded and accorded, that there be a Cessation of Arms, and of all Acts of Hostility, between His Majesties said Roman Catholick Subjects who are now in Arms, &c. in this Kingdom, and their Party, and all others His Majesties good Subjects, for one whole year, to begin the fifteenth day of Septemb. Anno Dom. 1643. at the hour of 12. of the clock of the said day.

Item, It is concluded and accorded, that free Passage, Entercourse, Commerce and Traffick, during the said Cessation, shall be between His Majesties said Roman Catholick Subjects who are now in Arms, &c. and their Party, and all others His Majesties good Subjects, and all others in League with His Majesty, by Sea and Land.

Item, It is concluded and accorded, and the said Viscount Muskery and the rest of the above-named Persons do promise and undertake for and in the behalf of those for whom they are authorized to Treat and conclude as aforesaid, that all Ships, Barques and Vessels which shall bring Provisions to any Harbour in this Kingdom, in the hands or possession of such as shall obey the Articles of this Cessation, from Minehead and White-haven, and from all the Ports between, on that side where Wales is situate, so as they be Ships belonging to any of the said Ports, and do not use any Acts of Hostility to any of the said Roman Catholicks who are now in Arms, &c. or to any of their Party, or to any who shall be waged or employed unto or by them, shall not be interrupted by any of their Party, nor by any Ships or other Vessels, of
what

what Country or Nation soever, under their power or Command, or waged, employed, or contracted with on their behalf, or by any Forts, Garrisons, or Forces within this Kingdom under their power, in their coming to this Kingdom, or returning from thence.

Item, It is concluded and accorded, and the said Lord Viscount Muskery and the rest of the above-named parties do promise and undertake for and in the behalf of those for whom they are authorized as aforesaid, that all Ships, Barques and Vessels which shall bring Provisions to any Harbour in this Kingdom, in the hands of such as shall obey the Articles of this Cessation, from any Ports in the Kingdom of England, having His Majesties Pass, or the Pass of any who is or shall be His Majesties Admiral or Vice-Admiral, or the Pass of any Governor or Governors of any the Ports in England in His Majesties Hands, or which shall hereafter during this Cessation be in His Majesties Hands, or the Pass of the said Marques, shall not be interrupted by any of those for whom the said Lord Viscount Muskery and the rest of the above-named Persons are authorized as aforesaid, neither in their coming to this Kingdom nor in their return, so as they use not any act of Hostility to any of their said Party: And this to be a Rule untill His Majesties pleasure be further declared therein, upon application of the Agents of the said Roman Catholick Subjects now in Arms, &c. to His Majesty.

Item, It is concluded and accorded, and the said James Marques of Ormond doth promise and undertake for and in the name of His Majesty, that no interruption shall be given by any Ship or Ships under His Majesties power and Command, or waged, employed, or contracted with, by or in the behalf of His Majesty, or by any of His Majesties Forts, Garrisons, or Forces within this Kingdom, to any Ship or Ships that shall trade with any of the said Roman Catholicks who are now in Arms, &c. or any of their Party, or which shall come in or goe out of any the Cities, Towns, Harbours, Creeks or Ports of this Kingdome in the hands of the said Roman Catholicks now in Arms, &c. with Arms, Ammunition, Merchandize, Commodity, or any thing whatsoever, during this Cessation: as on the other side, the said Donnogh Viscount Muskery, and the rest above named of that Party, do promise and undertake for and in the behalf of those by whom they are authorized, that no interruption shall be given by any Ship or other Vessel whatsoever under the power and Command of their Party, or waged, employed, or contracted with by or in the behalf of their Party, or by any Forts, Garrisons, or Forces within this Kingdom in their power, to any Ship or Ships that shall Trade with any of
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His Majesties Subjects obeying this Cessation, or which shall come in or go out of any the Cities, Towns, Harbours or Ports of this Kingdome which shall obey this Cessation, with Armes, Ammunition, Merchandize, Commodity, or any other thing whatsoever, during this Cessation. Provided that no Ship or Ships shall be admitted free Trade, by colour of this Article, but such as are warranted by the precedent Articles.*

Item, It is concluded and accorded, that the Quarters in the Province of Leinster be as followeth : viz. That the County of Dublin, the County of the City of Dublin, the County of the Town of Droghedagh and the County of Lowth, shall remain and be, during the Cessation, in the possession of His Majesties Protestant Subjects, and of such as adhere unto them respectively ; saving and excepting unto the said Roman Catholick Subjects now in Armes, &c. and their Party, all such Castles, Towns, Lands, Territories, and the Lands and Hereditaments thereunto belonging, which upon the said fifteenth day of September 1643. at the hour aforesaid, are possessed in the said Counties, or any of them, by any of the said Party. And it is further concluded and accorded, that as much of the County of Meath as is on the East and South side of the River of Boyne, from Droghedagh to Trim, and thence to the Lordship of Moylagh, and thence to Moyglare, and thence to Dublin, shall, during the said Cessation, remain and be in the possession of His Majesties Protestant Subjects, and of such as adhere unto them respectively; saving and excepting to the said Roman Catholick Subjects now in Armes and their Party all such Castles, Towns, Lands and Territories, and the Lands and Hereditaments thereunto belonging, which upon the said fifteenth day of September 1643. at the hour aforesaid, are possessed by any of the said Roman Catholick Subjects now in Armes, &c. and of their Party, within the said limits and boundaries : and that the residue of the said County of Meath shall remain in the hands and possession of the said Roman Catholick Subjects now in Armes, &c. and their Party ; except the Castles, Towns, Lands, Territories, and the Lands and Hereditaments thereunto belonging, which upon the fifteenth day of September 1643. at the hour aforesaid, are possessed within the said last-mentioned Quarters in the County of Meath by His Majesties Protestant Subjects, and such as adhere unto them, or by any of them respectively. And that so much of the County of Kildare as is on this side of the Liffy, where Naas is situate, and on the other side of the Liffy, from Dublin Westward into the County of Kildare, so far as the Rye water at Kilcock, and so far betwixt that and the Liffy as shall be at the same distance from Dublin as the said Rye water is at Kilcock, on that side of the Liffy, shall, during the said Cessation,

Cessation, remain and be in the hands and possessions of His Majesties Protestant Subjects and their adherents respectively; except such Castles, Towns, Territories, and the Lands and Hereditaments thereunto belonging, which upon the said fifteenth day of September 1643. at the hour aforesaid, are possessed within the said Quarters by the said Roman Catholick Subjects who are now in Armes, &c. and their Party: and that the residue of the said County of Kildare shall remain in the hands of the said Roman Catholick Subjects now in Arms, &c. and their Party; except such Castles, Towns, Lands, Territories, and the Lands and Hereditaments thereunto belonging, which upon the said fifteenth day of Septemb. 1643. at the hour aforesaid, are possessed by His Majesties Protestant Subjects and their adherents respectively within the said last mentioned Quarters in the said County of Kildare. And that the several Counties of Wicklow, West-Meath, Kings County, Queens County, Catherlagh, Kilkenny, County of the City of Kilkenny, Weixford and Longford, shall during the said Cessation remain in the hands of the said Roman Catholick Subjects now in Armes, &c. and their Party; except such Castles, Towns, Lands, Territories, and the Lands and Hereditaments thereunto belonging, which upon the said fifteenth day of Septemb. 1643. at the hour aforesaid, are possessed within the said County by His Majesties Protestant Subjects and their adherents respectively.

Item, It is concluded and accorded, that what Corn hath been sown by any of His Majesties Army, or by any of His Protestant Subjects, or their adherents, or by any of them, within any of the Quarters allotted in the Province of Leimster to the said other Party, the same shall be enjoyed by the sowers and manurers, paying for the same as they did agree; and in case they did not agree, paying the fourth sheaf unto such Garrison within whose Quarters the same shall fall. And that in case any of the said Roman Catholick Subjects now in armes, &c. or any of their Party, have sown Corn within any the Quarters allotted in the Province of Leimster to the said other Party, the same shall be enjoyed by the sowers and manurers, paying for the same as they did agree; and in case they did not agree, paying the fourth sheaf unto such Garrisons within whose Quarters the same shall fall. And it is likewise concluded and accorded, that those places which have been protected by the Lords Justices, or any Officer of His Majesties Army, do pay according to the agreement which was made; and if no agreement were made, to pay the fourth sheaf to those Garrisons or persons who protected them, in whose soever Quarters they are: and this to continue for a Rule, other then as to so many of those Garrisons who granted such protection, and are since regained by the said Party, or some of them, for whom the said Donnogh Viscount Muskery and
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the persons above named are authorized as aforesaid. And that the Tenants of the Town of Balliboght in the County of Dublin, if they have not been protected, shall pay according to agreement; and if no agreement made, then the fourth sheaf, and to continue their possession during this Cessation. And it is further concluded and accorded, that where His Majesty or any of His Protestant Subjects or their adherents shall happen to have any Garrison or Garrisons within the Quarters set forth in the next precedent Article for the said other Party, that such Garrison and Garrisons shall have such competency of the Lands, as well profitable as unprofitable, now termed Wast, as shall be found necessary for them by any indifferent Commissioners to be appointed to that purpose.

Item, It is concluded and accorded, that the Quarters in the Province of Munster be as followeth: viz. That the County of the City of Corck, and so much of the County of Corck as is within the subsequent Garrisons, viz. from Youghall and Mogeely, thence to Formoye, thence to Michells-town, thence to Lisscarroll, and so in a line from Michells-town and Lisscarroll Northward, as farre as His Majesties out-Garrisons on that side do extend, and from Lisscarroll to Mallow, thence to Corck, thence to Carrig-croghan, thence to Rochfords-town, thence to Bandon-bridge, thence to Timmoleagie, and thence forward to the Sea, together with the said Garrisons, shall, during the said Cessation, remain and be in the possession of His Majesties Protestant Subjects, and of such as adhere unto them; saving and excepting to the said Roman Catholick Subjects now in Armes, &c. and their Party, all such Castles, Towns, Lands, Territories, and the Lands and Hereditaments thereunto belonging, which on the said fifteenth day of September 1643. at the hour aforesaid, are possessed in the said Counties or any of them by any of the said Roman Catholick Subjects now in Armes, &c. and their Party: And that the residue of the said County of Corck shall likewise remain to the said Party last named; saving and excepting to His Majesties Protestant Subjects and their adherents all such Castles, Towns, Lands, Territories, and the Lands and Hereditaments thereunto belonging, which on the said fifteenth day of September 1643. at the hour aforesaid, are possessed in the last mentioned Quarters by them or any of them. And that the County of Tipperary, the County of Limerick, the County of the City of Limerick, the County of Kerry, the County of Waterford, the County of the City of Waterford, and the County of Clare, shall, during the said Cessation, remain and be in the possession of the said Roman Catholick Subjects now in Armes, &c. and their Party; except Knockmorne, Ardmore, Piltowne, Cappoquin, Ballinetra, Stroncally, Lismore, Balliduffe,

diffe, Lisfinny and Tallow, all situate in the County of Waterford, or as many of them as are possessed by His Majesties Protestant Subjects and their adherents the said fifteenth day of September 1643. at the hour aforesaid; and likewise except all such Castles, Towns, Lands, Territories and Hereditaments thereunto belonging, as within the said Counties respectively, on the said fifteenth day of September 1643. at the hour aforesaid, are possessed by any of His Majesties Protestant Subjects or such as adhere unto that Party respectively, in the said County of Waterford and the rest of the last mentioned Counties. And it is concluded and accorded, that the like Rule for Corne sown, and what shall be payed by places protected, and for the laying out Wafts for the respective Garrisons, shall be observed in the Province of Munster, as it is set down for Leimster.

Item, It is concluded and accorded, that the Quarters in the Province of Ulster be as followeth: viz. That such Counties, Baronies, Lands, Tenements and Hereditaments in the Province of Ulster, which the said fifteenth of September 1643. at the hour aforesaid, are possessed by any of His Majesties Protestant Subjects or any that adhere unto them, and all places protected by any Commander deriving Authority from His Majesty, shall, during the said Cessation, remain entirely in the hands and in the possession of His Majesties Protestant Subjects and such as adhere unto them; excepting such Castles, Lands and Hereditaments as on the said fifteenth day of September 1643. at the hour aforesaid, are possessed by the said Roman Catholick Subjects now in Armes, &c. or their Party. And that all such Counties, Baronies, Lands, Tenements and Hereditaments in the said Province, which on the said fifteenth of September 1643. at the hour aforesaid, are possessed by the said Roman Catholick Subjects now in Armes, &c. and their Party, shall remain entirely during this Cessation in the hands and possession of the said Roman Catholick Subjects now in Armes, &c. and their Party; saving and excepting thereout all places protected by any Commander deriving Authority from His Majesty, and likewise excepting thereout all such Territories, Castles, Towns, Lands, Tenements and Hereditaments which on the said fifteenth day of September 1643. at the hour aforesaid, are possessed by any of His Majesties Protestant Subjects or such as adhere unto them. And it is concluded and accorded, that the like Rule for Corne sown, and what shall be payed for protected places, and for the laying down of Wafts for the respective Garrisons, shall be observed in the Province of Ulster, as is set down for Leimster.

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Item, It is concluded and accorded, that the Quarters in the Province of Connaght be as followeth: viz. That the County of Galway, Roscomon, Slego and Lettrym, in the Province of Connaght, and all such Castles, Lands, Tenements and Hereditaments in the said Province, which the said fifteenth day of September 1643. at the hour aforesaid, are possessed by the said Roman Catholick Subjects now in Arms, &c. and their Party, shall, during the said Cessation, remain entirely in the possession of the said Roman Catholick Subjects now in Arms and their Party; excepting all such Territories, Castles, Lands, Tenements and Hereditaments within the said several Counties, which upon the said fifteenth of September. 1643. at the hour aforesaid, are possessed by any of His Majesties Forces, or by any of them; and that those who after taking protection from any of His Majesties Forces, or any of that Party, or from any Governors deriving Authority from His Majesty there, have joyned themselves to the said Roman Catholick Subjects now in Arms, &c. and their Party, shall pay no Contribution unto such who protected them. But in regard there may be a Rule different touching persons that may be said to doe this, and consequently touching the Contributions payable by them; it is concluded and accorded, that such disputes and questions, if any shall arise, be determined by Commissioners indifferently chosen on each side. And it is concluded and accorded, that the like Rule for sowers and manurers of Corn within the Quarters of each other shall be observed in the Province of Connaght, as is set down for Leimster.

Item, It is concluded and accorded, and the said Marques of Ormond for and in the name of His Majesty doth promise and undertake, that no Interruption shall be given unto any of the said Roman Catholick Subjects now in Arms, &c. or their Party, in any of the said Counties, Quarters, or places by the said precedent Articles unto them or any of them limited as aforesaid, during this Cessation; like as the said Donnogh Viscount Muskery and the rest of the above-named persons who are authorized as aforesaid, do promise and undertake, that no Interruption shall be given unto any of His Majesties Forces, Protestant Subjects or such as adhere unto them, within any of the said Counties, Quarters, or places by the precedent Articles limited unto them as aforesaid, during the said Cessation.

Item, It is concluded and accorded, that no Officer of the Army or Souldier of either side shall be admitted, without licence from the Commander in chief of the Army on both sides, or of the Commander of the next chief Garrisons respectively, to pass or repair into any of the Garrisons on either side; save that it be lawful for either Party to furnish any Garrison in their power, during the Cessation, with Victuals, Cloth, Ammunition or other Necessaries, by licence as aforesaid, which is not to be denied upon demand.

His MAJESTIES Declaration

Item, It is concluded and accorded, that if any Army or Forces in this Kingdom, raised by His Majesties Authority, or any part thereof, or any other His Majesties Subjects, shall not yield obedience to the Articles of this Cessation, but shall publickly stand in opposition thereunto, that the said Roman Catholick Subjects now in Arms, &c. and their Party may prosecute such: and the said James Marquess of Ormond doth promise and undertake, that such who shall so stand in opposition shall not be assisted, protected, or defended against the said Roman Catholick Subjects now in Arms, &c. or their Party, by His Majesty or any of His Forces; and yet nevertheless the same shall not be understood to be any breach of Cessation as to other parts of the Kingdom which shall conform and yield thereunto. And whereas the assistance of His Majesties Forces is desired by the said Roman Catholick Subjects now in Arms, &c. against such as shall oppose the Articles of this Cessation, and will not yield obedience thereunto, or interrupt the Trade and Traffick, albeit that it is not to be supposed that there will be any such, the said James Marquess of Ormond doth further promise and undertake, that their said request shall be made known to His Majesty, and upon signification of His Pleasure the same shall be obeyed.

Item, It is concluded and accorded, that if in other cases it be pretended on either side that the Cessation is violated, that yet no act of Hostility is immediately to follow, but first the party complaining is to acquaint the Lord General, Lieutenant-General, or other chief Commander of either side in that Province in which the said Cessation is pretended to be violated therewith, and to allow fourteen dayes after notice given for reparation or satisfaction; and in case reparation or satisfaction be not given or tendred, then fourteen daies notice to be given before Hostility begin.

Item, It is concluded and accorded, that all Prisoners and Hostages of both sides in all parts of the Kingdom, excepting such of them as are indicted of any Capital offence, shall be mutually released and set at liberty within seven dayes after publication of the said Cessation. And the said Marquess of Ormond doth farther promise and undertake, that such Prisoners who are indicted of any Capital offence shall be set at liberty upon Bail, until His Majesties further Pleasure be known therein. Provided nevertheless, that if any party of His Majesties Army in any other Province of the Kingdom shall not within ten daies after Publication of these Articles yield obedience thereunto, that the same shall be no breach of Cessation, but that His Majesty be first made acquainted with such Disobedience, and His Direction expected therein: and that all other persons that do reside with either Party, and all Women and Children, shall be permitted within seven dayes after

after publishing of this Cessation, or when they please, with their goods and chattels to depart to what place they please, with a safe Conduēt or Convoy, if they desire it.

Item, It is concluded and accorded, that the said Roman Catholick Subjects now in Arms, &c. and their Party, may at any time, during the Cessation, send such Agents to His Majesty as they shall think fit; and that the said Agents shall have safe Conduēt in writing from the chief Governor or Governors of this Kingdom for the time being upon demand.

Item, It is concluded and accorded, and the said Marques of Ormond doth promise and undertake for and in the name of His Majesty, that all and every of the precedent Articles which have been agreed unto and undertaken by the said Marques for and in the behalf of His Majesty, shall be faithfully, truly and inviolably observed, fulfilled and kept. And the said Viscount Muskery, Sir Lucas Dillon Knight, Nicholas Plunket Esquire, Sir Robert Talbot Baronet, Sir Richard Barnewell, Torlogh O-Neale, Geffry Browne, Ever Mac-Gennis, and John Walsh, Esquires, for and in the behalf of the said Roman Catholick Subjects now in Arms, &c. and their Party, do promise and undertake, that all and every of the precedent Articles which have been agreed unto and undertaken by them for and in the behalf of their Party, shall be faithfully, truly and inviolably observed, fulfilled and kept.

Lastly, It is concluded and accorded, that all possessions, and likewise all goods and chattels, that shall be found in specie taken by either Party after the hour of twelve aforesaid, and before publication of this Cessation, shall be restored to the owners; and after publication, all possessions and goods that shall be taken, to be restored to the owners upon demand, or damages for the same.

In witness whereof the said Marques to the said Articles remaining with the said Viscount Muskery and the rest of the above-named persons, hath put his Hand and Seal: And the said Viscount Muskery, Sir Lucas Dillon Knight, Nicholas Plunket Esquire, Sir Robert Talbot Baronet, Sir Richard Barnewell Baronet, Torlogh O-Neale, Geffry Browne, Ever Mac-Gennis, and John Walsh, Esquires, to that part of the Articles remaining with the said Marques of Ormond, have put their Hands and Seals, the day and year first above written.

Muskery.	Lucas Dillon.	Nic. Plunket.	Rob. Talbot.
Rich. Barnewell.	Torl. O-Neale.	Geffry Browne.	
Ever Mac-Gennis.	Jo. Walsh.		

An Instrument touching the manner of payment of 30800. pound
sterling by several Payments.

WHereas by an Instrument bearing Date with these presents, we have, in the behalf and by Authority from the Roman Catholics of this Kingdom, freely given unto His Majesty the summe of thirty thousand pounds sterling, wherein the times or manner of payments are not expressed; we do therefore hereby agree, that the same shall be paid in manner following: viz. 5000 pounds within one moneth next after the Date of these presents, the one half in money, and the other half in goods and merchantable Beeves, not under four or above ten years old, at the rate of 30 pounds the score, at the City of Dublin: 5000 pounds more within one moneth next after the said first moneth, the one half in money, and the other half in Beeves, as aforesaid, at the like rates, at the City of Dublin aforesaid: also within two moneths next after 5000 pounds more, whereof one half of Beeves, as aforesaid, at the like rates, and the other half in money: one other 5000 pounds at or before the last of February next: and the summe of 10000 pounds, being the last payment of the said thirty thousand pounds, at or before the last day of May next, which shall be in the year 1644. And we hereby further agree that 800 pounds more shall be paid to His Majesties use, to whom the Lords Justices shall appoint, at the Garrison of Naas, within two moneths next ensuing, the one half by one moneths end next after the Date hereof, and the other half by the end of one moneth more next after the first moneth. All other payments in money, save the eight hundred pounds, shall be paid at Dublin; and the rest of the Beeves, save the said first two payments, to be paid within the several Provinces to His Majesties use, to such persons as shall be appointed by His Majesties Lords Justices, or other chief Governour or Governours in this Kingdom, they first giving notice to us, or any one or more of us, of their pleasures therein. In witness whereof we have hereunto put our Hands and Seals, the sixteenth day of September, 1643.

Muskery.	Lucas Dillon.	Nic. Plunket.	Rob. Talbot.
R. Barnewell.	Tor. O-Neale.	Geffry Brown.	
Ever Mac-Gennis.	Jo. Walsh.		

Whereas

WHereas the Lord Marques of Ormond hath demanded the Opinions as well of the Members appointed from the Council-board to assist his Lordship in the present Treaty, as of other Persons of Honour and Command, that have since the beginning thereof repaired out of several parts of this Kingdom to his Lordship: they therefore seriously considering how much His Majesties Army here hath already suffered through want of relief out of England, though the same was often pressed and importuned by His most Gracious Majesty, Who hath left nothing unattempted which might conduce to their support and maintenance, and unto what common Misery not onely the Officer and Souldier, but others also His Majesties good Subjects within this Kingdom are reduced; and further considering how many of His Majesties principal Forts and places of strength are at this present in great distresse, and the imminent danger the Kingdom is like to fall into; and finding no possibility of prosecuting this Warre without large Supplies, whereof they can apprehend no hope nor possibility in due time: they for these causes do conceive it necessary for His Majesties Honour and Service, that the said Lord Marques assent to a Cessation of Arms for one whole Year, on the Articles and Conditions this day drawn up, and to be perfected by virtue of His Majesties Commission, for the preservation of this Kingdom of Ireland. Witness our Hands, the fifteenth day of September, 1643.

Clanrickard and
S^r Albans,
Roscomon,
Richard Dungarvan,
Edward Brabazon,
Inchequin,
Thomas Lucas,

James Ware,
Michael Ernley,
Foulk Huncks,
John Powlet,
Maurice Eustace,
Edward Povey,
John Gifford,

Philip Percivall,
Richard Gibson,
Henry Warren,
Alanus Cooke, *Advocatus Regis.*

By the King.

MDCXLIII.

A Proclamation for the Assembling the Members of both Houses at Oxford, upon occasion of the Invasion by the Scots.

WHereas We did by Our Proclamation, bearing date the twentieth day of *June* last, upon due consideration of the Miseries of this Kingdom, and the true Cause thereof, warn all Our good Subjects no longer to be misled by Votes, Orders, or pretended Ordinances of One or Both Houses, by reason the Members do not enjoy the Freedom and Liberty of Parliament, which appears by several instances of Force and Violence, and by the course of their Proceedings mentioned in Our said Proclamation, and several of Our Declarations; since which time Our Subjects of *Scotland* have made great and Warlike preparations to enter and invade this Kingdom with an Army, and have already actually invaded the same, by possessing themselves by force of Arms of Our Town of *Berwick*, upon pretence that they are invited thereunto by the desires of the two Houses: the which as We doubt not all Our good Subjects of this Kingdom will look upon as the most insolent Act of Ingratitude and Disloyalty, and to the apparent breach of the late Act of Pacification so solemnly made between the Kingdoms, and is indeed no other then a designe of Conquest, and to impose new Laws upon this Nation, they not so much as pretending the least provocation or violation from this Kingdom; so We are most assured that the major part of both Houses of Parliament do from their souls abhorre the least thought of introducing that Foreign Power, to encrease and make desperate the Miseries of their unhappy Country: And therefore that it may appear to all the world how farre the major part of both Houses is from such Actions of Treason and Disloyalty, and how grossly those few Members remaining at *Westminster* have and do impose upon Our People, We do Will and require such of the Members of both Houses, as well those who have been by the Faction of the Malignant Party expelled for performing their Duty to Us, and into whose rooms no Persons have been since chosen by their Country,

Country, as the rest who have been driven thence, and all those who being conscious of their want of Freedom now, shall be willing to withdraw from that Rebellious City, to assemble themselves together at Our City of *Oxford*, on Munday the twenty second day of *January*, where care shall be taken for their several Accommodations, and fit places appointed for their meeting, and where all Our good Subjects shall see how willing We are to receive Advice for the Preservation of the Religion, Laws and Safety of the Kingdom, and, as farre as in Us lyes, to restore it to its former Peace and Security, (Our chief and only end) from those whom they have trusted, though We cannot receive it in the Place where We appointed. And for the better encouragement of those Members of either House to resort to Us, who may be conscious to themselves of having justly incurred Our Displeasure by submitting to or concurring in unlawful Actions, and that all the World may see how willing and desirous We are to forget the Injuries and Indignities offered to Us, and by an Union of *English* hearts, to prevent the lasting Miseries which this Forein Invasion must bring upon this Kingdom, We do offer a free and General Pardon to all the Members of either House, who shall at or before the said twenty second day of *January* appear at Our City of *Oxford*, and desire the same, without Exceptions: which, considering the manifest Treasons committed against Us, and the Condition We are now in, improved, by God's wonderful blessing, to a better degree then We have enjoyed at any time since these Distractions, is the greatest instance of Princely and Fatherly Care of Our People that can be expressed, and which Malice it self cannot suggest to proceed from any other ground. And therefore We hope and are confident, that all such who upon this Our gracious Invitation will not return to their Duty and Allegiance, shall be no more thought Promoters of the Religion, Laws and Liberty of the Kingdom, (which this way may be, without doubt, settled and secured) but Persons engaged from the beginning, out of their own Pride, Malice and Ambition, to bring Confusion and Desolation upon their Countrey, and to that purpose (having long since contrived the Designe) to invite and joyn with a Forein Nation to ruine and extinguish their own, and shall accordingly be pursued as the most desperate and
malicious

malicious Enemies of the Kingdom. And Our pleasure is, That this Our Proclamation be read in all Churches and Chappels within this Our Kingdom, and Dominion of *Wales*.

Given at Our Court at *Oxford*, the two and twentieth day of *December*, in the Nineteenth year of Our Reign, 1643.

G O D S A V E T H E K I N G.

MDCXLIII.
IV. *A Letter from the LORDS at Oxford, and other Lords whose Names are subscribed, to the Lords of the Privy-Council, and the Conservators of the Peace of the Kingdom of SCOTLAND.*

Our very good Lords,

IF for no other Reason, yet that Posterity may know we have done our Duties, and not sate still while our Brethren of *Scotland* were transported with a dangerous and fatal misunderstanding, that the Resolution now taken among them for an Expedition into *England* is agreeable to their obligation by the late Treaty, and to the Wishes and Desires of this Kingdom, expressed by the two Houses of Parliament; we have thought it necessary to let your Lordships know, That if we had dissented from that Act, it could never have been made a Law: And when you have examined and considered the Names of us who subscribe this Letter (who, we hope, are too well known to your Lordships, and to both Kingdomes, to be suspected to want Affection to Religion, or to the Laws and Liberties of our Country, for the Defence and maintenance of which we shall alwaies hold our Lives a cheap sacrifice,) and when you are informed that the Earls of *Arundel* and *Thanet*, and the Lords *Stafford*, *Stanhope*, *Coventry*, *Goring*, and *Craven*, are in the parts beyond the Seas, and the Earl of *Chesterfield*, *Westmorland*, and the Lord *Mountague* of *Boughton*, under restraint at *London* for their Loyalty and Duty to His Majesty and the Kingdom; your Lordships will easily conclude how very few now make up the Peers at *Westminster*, there being in truth not above five and twenty Lords present or privy to those Counsels, or, being absent, consenting or concurring with them; whereas the House of Peers consists of above one hundred, besides Minors and Recusant Lords, neither of which keep us company in this Address to your Lordships. How we and the major part of the House of Commons come to be absent from thence, is so notorious to all the World,

World, that we believe your Lordships cannot be strangers to it; How several times during our sitting there, Multitudes of the meanest sort of People, with weapons not agreeing with their condition or custome, in a manner very contrary and destructive to the Privilege of Parliament, fill'd up the way between both Houses, offering Injuries both by words and actions to, and laying violent hands upon, several Members, and crying out many hours together against the established Laws, in a most tumultuous and menacing way; How no remedy would be submitted to for preventing those Tumults: After which, and other unlawful and unparliamentary Actions, many things rejected, and settled, upon solemn debate in the House of Peers, were again after many Threats and Menaces resumed, altered and determined, contrary to the Custome and Laws of Parliaments; and so, many of us withdrew our selves from thence, where we could not Sit, Speak and Vote with Honor, Freedome and Safety, and are now kept from thence for our Duty and Loyalty to our Sovereign. And we must therefore protest against any Invitation which hath been made to our Brethren of *Scotland* to enter this Kingdome with an Army, the same being as much against the Desires as against the Duty of the Lords and Commons of *England*. And we do conjure your Lordships by our common Allegiance and Subjection under one gracious Sovereign, by the Amity and Affection between the two Nations, by the Treaty of Pacification, which by any such Act is absolutely dissolved, and by all Obligations both Divine and Humane which can preserve Peace upon earth, to use your utmost endeavours to prevent the effusion of so much Christian blood, and the Confusion and Desolation which must follow the unjust Invasion of this Kingdome, which we and, we are confident, all true *English*-men must interpret as a Design of Conquest, and to impose new Laws upon us. And therefore your Lordships may be assured we shall not so farre forget our own Interests and the Honour of our Nation, as not to expose our Lives and Fortunes in the just and necessary defence of the Kingdome. But if your Lordships in truth have any doubts or apprehensions that there now is, or hereafter may be, a purpose to infringe your Laws or Liberties from any Attempt of this Kingdome; we do engage our Honours to your Lordships, to be our selves most religious observers of the Act of Pacification, and if the Breach and violation do not first begin within that Kingdome, we are most confident you shall never have cause to complain of this. And having thus far expressed Our selves to your Lordships, we hope to receive such an Answer from you as may be a means to preserve a right understanding between the two Nations, and lay an Obligation upon us to continue

Your Lordships most affectionate humble Servants,

Ed. Littleton C. S.

L. Cottington.

D. Richmond.

M. Hartford.

M. Newcastle.

E. Huntington.

E. Bathon.

E. Southampton.

E. Dorset.

E. Northampton.

E. Devonshire.

E. Bristol.

E. Berkshire.

E. Berkshire.	V. Savile.	L. Mohun.
E. Cleveland.	L. Mowbray and	L. Dunsmore.
E. Marlburgh.	Maltravers.	L. Seymour.
E. Rivers.	L. Darcy & Coniers.	L. Herbert.
E. Lindsey.	L. Wentworth.	L. Cobham.
E. Dover.	L. Cromwell.	L. Capell.
E. Peterburgh.	L. Rich.	L. Percy.
E. Kingston.	L. Paget.	L. Leigh.
E. Newport.	L. Digby.	L. Hatton.
E. Portland.	L. Howard of	L. Hopton.
E. Carbury.	Charleton.	L. Jermyn.
V. Conway.	L. Deincourt.	L. Loughborough.
V. Falconbridge.	L. Lovelace.	L. Byron.
V. Wilmot.	L. Pawlet.	L. Widderington.

Votes of the Commons at Oxford.

MDCXLIII. IV.

Die Veneris, 26. Januar. 1643.

I. Resolved upon the Question, *Nemine contradicente*,

That all such Subjects of Scotland as have consented to the Declaration intituled the Declaration of the Kingdome of Scotland, and concerning the present Expedition into England, according to the Commission and Order of the Convention of Estates from their meeting at Edinburgh, August 1643. have thereby denounced Warre against the Kingdome of England, and broke the Act of Pacification.

II. Resolved upon the Question, *Nemine contradicente*,

That all such of the Subjects of Scotland as have in a Hostile manner entred into the Town of Berwick upon Twede, have thereby broke the Act of Pacification.

III. Resolved upon the Question, *Nemine contradicente*,

That all His Majesties Subjects of the Kingdome of England and Dominion of Wales are, both by their Allegiance and the Act of Pacification, bound to resist and repress all such of the Subjects of Scotland as have in a Hostile manner already entred, or shall hereafter enter into the Town of Berwick upon Twede, or any other part of His Majesties Realme of England or Dominion of Wales, as Traitors and Enemies to the State.

IV. Resolved upon the Question, *Nemine contradicente*,

That all such of His Majesties Subjects of the Realme of England or Dominion of Wales, that shall be abetting, aiding and assisting to the Subjects

jects of *Scotland* in their Hostile Invasion of any part of His Majesties Realm of *England* or Dominion of *Wales*, shall be deemed and taken as Traitors and Enemies to the State.

Resolved upon the Question, *Nemine contradicente*,

IV.

That all His Majesties Subjects of *Scotland* are bound by the Act of Pacification to resist and repress all of that Kingdome that already have raised Armes, or shall rise in Armes, to invade this Kingdome of *England* or Dominion of *Wales*.

Votes of the Commons at Oxford,

March 12. 1643.

Resolved upon the Question, *Nemine contradicente*,

I.

THat the Lords and Commons now remaining at *Westminster*, that have given their Votes or consent to the raising of Forces under the Command of the Earle of *Essex*, or have been abetting, aiding or assisting thereunto, have levied and made Warre against the King, and are therein guilty of High Treason.

Resolved upon the Question, *Nemine contradicente*,

II.

That the Lords and Commons now remaining at *Westminster*, that have given their Votes and consents for the making and using of a new Great Seal, have thereby counterfeited the Kings Great Seal, and therein committed High Treason.

Resolved upon the Question, *Nemine contradicente*,

III.

That the said Lords and Commons now remaining at *Westminster*, that have given their consents, or have been abetting, aiding or assisting to the present coming in of the *Scots* into *England* in a Warlike manner, have therein committed High Treason.

Resolved upon the Question, *Nemine contradicente*,

IV.

That the Lords and Commons now remaining at *Westminster*, who have committed the Crimes mentioned in the three former Votes, have therein broken the Trust in them reposed by their Countrey, and ought to be proceeded against as Traitors to the King and Kingdome.

Resolved upon the Question, *Nemine contradicente*,

V.

That all the Endeavors and Offers of Peace and Treaty made by His Majesty, by the advice of the Lords and Commons of Parliament assembled at *Oxford*, have been refused and rejected by the Lords and Commons remaining at *Westminster*.

MDCXLIII. IV. *A Declaration of the Lords and Commons of Parliament assembled at Oxford, Of their Proceedings touching a Treaty for Peace, and the Refusal thereof; With the severall Letters and Answers that passed therein.*

IF our most earnest Desires and Endeavours could have prevailed for a Treaty, our Proceedings therein, without this Declaration; would have manifested to all the World the clearnesse of our Intentions for the restoring the Peace of this Kingdome: but seeing all the means used by Us for that purpose have been rendered fruitlesse, we hold our selves bound to let our Countries know, what in discharge of our Duty to God and to them we on our parts have done since our coming to *Oxford*, to prevent the further effusion of Christian blood, and the Desolation of this Kingdome.

His Majesty having by His Proclamation, upon occasion of the Invasion from *Scotland* and other weighty reasons, commanded our attendance at *Oxford* upon the 22. of *January* last, there to advise Him for the preservation of the Religion, Laws and Safety of the Kingdome, and to restore it to its former Peace and Security; these Motives, with the true sense of our Countries Miseries, quickned our duty to give ready obedience to those His Royall Commands, hoping (by God's blessing) to have become happy Instruments for such good Ends. And upon our coming hither, we applied our selves with all diligence to advise of such means as might most probably settle the Peace of this Kingdome, (the thing most desired by His Majesty and our selves:) and because we found many gracious offers of Treaty for Peace by His Majesty had been rejected by the Lords and Commons remaining at *Westminster*, we deemed it fit to write in our own names, and thereby make triall, whether that might produce any better effect for accomplishing our desires and our Countries Happinesse. And they having (under pain of death) prohibited the addresse of any Letters or Message to *Westminster*, but by their General, and we conceiving him a person who (by reason of their trust reposed in him) had a great influence into and Power over their Proceedings, resolved to recommend it to his Care, and to engage him in that Pious Work, with our earnest desire to him to represent it to those that trusted him, (to prevent all exceptions and delay:) and thereupon, the 27. of the same *January*, dispatched a Letter away under the hands of the Prince his Highness, the Duke of *York*, and of 43. Dukes, Marquesses, Earles, Viscounts and Barons of the House of Peers, and 118. Members of the House of Commons there present, (many others of us by reason of distance of place, sicknesse, and imployments in His Majesties Service, and for want of timely notice of the Proclamation of Summons, not being then come hither:) which Letter we caused to be inclosed in a Letter from the Earle of *Forth* the Kings General. A true Copy of which Letter from us to the Earle of *Tex* hereafter followeth, viz.

My

My Lord,

HIS Majesty having by His Proclamation of the 22. of December (upon the occasion of the Invasion threatned, and in part begun, by some of His Subjects of Scotland) summon'd all the Members of both Houses of Parliament to attend Him here at Oxford; we, whose Names are under-written, are here met and assembled in obedience to those His Majesties Commands. His Majesty was pleased to invite us in the said Proclamation by these gracious expressions; [That His Subjects should see how willing He was to receive Advice for the preservation of the Religion, Laws and Safety of the Kingdom, and, as farre as in Him lay, to restore it to its former Peace and Security, (His chief and only end,) from those whom they had trusted, though He could not receive it in the Place where He appointed.] This most gracious Invitation hath not onely been made good unto us, but seconded and heightned by such unquestionable Demonstrations of the deep and Princely sense which possesses His Royal Heart of the Miseries and Calamities of His poor Subjects in this unnaturall Warre, and of His most entire and passionate Affections to redeem them from that sad and deplorable condition, by all waies possible consistent either with His Honour or with the future Safety of the Kingdome, that, as it were Impiety to question the Sincerity of them, so were it great want of Duty and Faithfulness in us, (His Majesty having vouchsafed to declare, that He did call us to be witnesses of His Actions, and privy to His Intentions,) should we not testifie and witness to all the World the assurance we have of the Piety and Sincerity of both. We being most entirely satisfied of this truth, we cannot but confess that, amidst our highest afflictions in the deep and piercing sense of the present Miseries and Desolations of our Country, and those farther Dangers threatned from Scotland, we are at length erected to some chearfull and comfortable thoughts, that possibly we may yet (by God's Mercy, if his Justice have not determined this Nation for its Sins to totall Ruine and Desolation) hope to be happy Instruments of our Countries Redemption from the Miseries of Warre, and restitution to the Blessings of Peace. And we being desirous to believe your Lordship (howsoever engaged) a person likely to be sensibly touched with these considerations, have thought fit to invite you to that part in this blessed Work, which is onely capable to repair all our misfortunes, and to buoy up the Kingdom from Ruine; that is, by conjuring you by all the Obligations that have power upon Honour, Conscience or publick Piety, that laying to heart, as we do, the inwardly-bleeding condition of your Country, and the outward more menacing Destruction by a forein Nation, upon the very point of invading it, you will co-operate with us to its Preservation, by truly representing to, and faithfully and industriously promoting with those by whom you are trusted, this following most sincere and most earnest desire of ours; That they joyning with us in a right sense of the past, present, and more threatning Calamities of this deplorable Kingdome, some persons be appointed on either part, and a place agreed on, to treat of such a Peace as may yet redeem it from the brink of Desolation.

(K k 2)

This

This Address we should not have made, but that His Majesties Summons by which we are met, most graciously proclaiming Pardon to all without exception, is evidence enough that His Mercy and Clemency can transcend all former Provocations, and that He hath not onely made us witnesses of His Princely Intentions, but honoured us also with the name of being Security for them.

God Almighty direct your Lordship, and those to whom you shall present these our most reall desires, in such a course as may produce that happy Peace and Settlement of the present Distractions, which is so heartily desired and prayed for by us, and which may make us

From Oxford, the
27. of Jan. 1643.

Your, &c.

We are not ashamed of that earnest, meek and Christian request we made in that Letter, (though it was cryed through London Streets in scorn, as the Petition of the Prince and Duke of York for Peace) and we thought it would have prevailed to have procured a Treaty for so blessed a thing as Peace, and for such an end as redeeming the Kingdom from Desolation (the only desire of that our Letter :) but in stead of a compliance with us in this Christian work of Treaty and Accommodation, we received a mere frivolous Answer, or rather a paper of Scorn, in form of a Letter, directed to the Earl of Forth, wherein was inclosed a Printed paper, called *A National Covenant of the Kingdoms of England and Scotland*, and two other Papers in writing, one called *A Declaration of both those Kingdoms*, and the other, *A Declaration of the Kingdom of Scotland*, Pamphlets full of Treason, Sedition and Disloyalty; which being publick, and needles here to be inserted, the Copy of the Letter hereafter followeth.

My Lord,

I Received this day a Letter of the nine and twentieth of this instant from your Lordship, and a Parchment subscribed by the Prince, Duke of York, and divers other Lords and Gentlemen; but it neither having address to the two Houses of Parliament, nor therein there being any acknowledgement of them, I could not communicate it to them. My Lord, the maintenance of the Parliament of England and of the Privileges thereof is that for which we are all resolved to spend our blood, as being the foundation whereupon all our Laws and Liberties are built. I send your Lordship herewith a National Covenant, solemnly entred into by both the Kingdoms of England and Scotland, and a Declaration passed by them both together, with another Declaration of the Kingdom of Scotland. I rest,

Essex-house,
Jan. 30. 1643.

Your Lordships humble Servant,
Essex.

Whosoever considers this Letter, will easily find it was fully understood to whom ours was desired to be communicated, under the expression

pression of [*those by whom their General was trusted:*] and although it be pretended, because there was no Address to the two Houses of Parliament nor acknowledgement of them, it could not be communicated to them, it is notoriously known, he did so far impart it, that a Committee of theirs advised the Answer, and it appears by the penning, they all concurred in the resolution therein mentioned; whereby it is evident that this was but an excuse framed to avoid a Treaty. And what could that Printed Covenant and two Declarations enclosed signifie, but to let us know, that before we come to any Treaty, we must also joyn in that Covenant with them for the absolute extirpation of Church-Government here, (without, nay though against, the Kings Consent,) submit the Lives, Liberties and Estates of us, and all those who according to their Allegiance have assisted His Majesty, to their Mercy, and admit and justify the Invasion from Scotland, according to the plain sense of their Declaration? which all indifferent men will think strange Preparatives to a Treaty for Peace; and after such a yielding and submission, we know not what is left to Treat upon.

These things are too apparent to every ordinary understanding: and yet we were not forward to apprehend the Scorn of that Letter, or take it for a Denial of a Treaty, but being still solicitous for that happy Peace which alone could redeem this Kingdom from Ruine, we resolved to try another way, and for avoiding Delay, or Cavil about Names or Titles, or descants upon words, to forbear writing; and humbly besought His Majesty to send Messengers with Instructions, to desire a Treaty for Peace: Who was pleased to name M^r Richard Fanshaw and M^r Thomas Offly, (Gentlemen of clear Repute and Integrity;) and, to avoid their danger in repairing to Westminster, at our desire, commanded the Earl of Forth, His General, to write to theirs for a safe Conduct for those two Messengers, (for such is our Condition at present, that a free-born Subject, sent upon the Kings Message, cannot but with such leave repair to London or Westminster, without danger of his Life.) The Letter for the safe Conduct was as followeth.

My Lord,

I Cannot so willingly write to you in any business as in that of Peace, the endeavour thereof being the principal Duty of those who are trusted in places of our Commands, especially when the Blood that is spilt is of persons under the same Allegiance, of the same Country and Religion. His Majesty continuing constant in His pious and fervent desires of a happy end to these bloody Distractions, I do hereby desire your Lordship to send me a safe Conduct to and from Westminster, for M^r Richard Fanshaw and M^r Tho. Offly, to be sent by His Majesty concerning a Treaty for Peace. I rest,

Your Lordships humble Servant,
Forth.

To this was returned a Letter directed to the Earl of Forth, in these words, viz.

(K k 3)

My

My Lord,

YOU shew your Nobleness in declaring your willingness to write to me in any business, as of that of Peace, and I joyn with you in the same opinion, that it ought to be a principal Duty of those who are trusted in places of our Command; and therefore whensoever I shall receive any directions to those who have intrusted me, I shall use my best endeavours; and when you shall send for a safe Conduct for those Gentlemen mentioned in your Letter, from His Majesty to the Houses of Parliament, I shall with all chearfulness shew my willingness to further any way that may produce that Happiness that all honest men pray for, which is a true understanding between His Majesty and His faithful and only Council, the Parliament.

Essex-house, 19. February, 1643.

Your Lordships humble Servant,
Essex.

That this doth neither grant a safe Conduct, nor give any direct Answer to the Earl of *Forth's* Request, every ordinary eye may see, (and yet such Requests amongst Generals are rarely denied :) and we may easily thereby discern how fearful they at *Westminster* are, lest the poor distressed People of this Kingdom should by the advantage of a Treaty and free debate of the present Difference, see how grossly they had been deceived and misled, and so obtain an end of their Miseries: for otherwise who could have believed, that when these Differences arose and were continued for want of a free Convention in Parliament, and that a main end of the Treaty was to resolve how we, according to Our Duty and the Trust reposed in us by our Countries, might with them freely debate, and advise His Majesty in those things that concerned the maintenance of our Religion, Parliament-Privileges, the Kings Rights, and the Subjects Liberty and Property, that this Letter should tell us, that the Party we are to Treat withall is the Kings *only Council*, excluding all others, not only our selves, called by the same Authority to Counsel as they were, but His Privy-Council also and Council at Law? so that we could have no hopes of a Treaty, unless we should first agree that they are the *Parliament*, and the Kings *only Council*, whereby they that are parties would become the only Judges of all things in question; which would be a Submission, and not a Treaty.

Having received these frivolous delayes, which we might have interpreted absolute denials of any Treaty of Peace, we yet resolved not to give over our endeavours for that which so much concerned the good of our Country, and the welfare of all Professors of the true Protestant Religion, but by our humble and earnest desires to His Majesty, prevailed with Him to write His Royal Letters, and once more desire a Treaty for Peace, (though it had been so often formerly rejected;) and to avoid all colour of Exception, to direct it *To the Lords and Commons of Parliament assembled at Westminster*: which was done, and enclosed in a Letter from the Earl of *Forth* to their General. A Copy of both which Letters hereafter follows.

My

My Lord,

I Have received your Letter of the 19th of this Moneth, which, according to my Duty, I shewed to His Majesty; Who observing in it your expressions concerning Peace, (that whensoever you shall receive any directions to those that have entrusted you, you shall use your best endeavours,) is graciously pleased to send this enclosed, which is desired may be delivered according to the directions.

Directed to the Earl of Essex, Subscribed
by the Earl of Forth.

C. R.

Out of Our most tender and pious sense of the sad and bleeding condition of this Our Kingdome, and Our unwearied desires to apply all Remedies which, by the blessing of Almighty God, may recover it from an utter Ruine, by the Advice of the Lords and Commons of Parliament assembled at Oxford, We do propound and desire, That a convenient number of fit Persons may be appointed and authorized by you to meet with all convenient speed, at such Place as you shall nominate, with an equall number of fit Persons whom We shall appoint and authorize, to Treat of the wayes and means to settle the present Distractions of this Our Kingdome, and to procure a happy Peace: and particularly, how all the Members of both Houses may securely meet in a full and free Convention of Parliament, there to Treat, consult and agree upon such things as may conduce to the maintenance and defence of the true Reformed Protestant Religion, with due consideration to all just and reasonable ease of tender Consciences; to the settling and maintaining of Our just Rights and Privileges, of the Rights and Privileges of Parliament, the Laws of the Land, the Liberty and Property of the Subject; and all other Expedients that may conduce to that blessed end of a firm and lasting Peace both in Church and State, and a perfect understanding betwixt Us and Our People: wherein no Endeavours or Concurrence of Ours shall be wanting. And God direct your hearts in the wayes of Peace.

Given at Our Court at Oxford, the third day of March 1643.

Superscribed
To the Lords and Commons of Parliament
Assembled at Westminster.

We now appeal to all the World, what could more have been done by His Majesty or us in order to Peace, here being so great a Condescending from a King to Subjects, all indifferent Advantages left to them, both for time and place of Treaty, and choice of persons to Treat: But what their Intentions to Peace are, will appear by their Letter enclosed in one from their General to the Earl of Forth, both which are as followeth.

(K k 4)

My

My Lord,

I Am commanded by both Houses of Parliament to send a Trumpeter with the inclosed Letter to His Majesty, which I desire your Lordship may be most humbly presented to His Majesty. I rest,

Essex-house, March
9. 1643.

Your Lordships humble Servant,
Essex.

May it please Your Majesty,

WE the Lords and Commons assembled in the Parliament of England, taking into our Consideration a Letter sent from Your Majesty, dated the third of March instant, and directed to the Lords and Commons of Parliament assembled at Westminster, (which by the Contents of a Letter from the Earl of Forth unto the Lord General, the Earl of Essex, we conceive was intended to our selves) have resolved, with the concurrent advice and consent of the Commissioners of the Kingdom of Scotland, to represent to Your Majesty in all humility and plainness as followeth:

That, as we have used all means for a just and a safe Peace; so will we never be wanting to doe our utmost for the procuring thereof: But when we consider the Expressions in that Letter of Your Majesties, we have more sad and despairing thoughts of attaining the same then ever; because thereby those Persons now assembled at Oxford, who, contrary to their Duty, have deserted Your Parliament, are put into an equal Condition with it; and this present Parliament, convened according to the known and Fundamentall Laws of the Kingdome, (the continuance whereof is established by a Law consented unto by Your Majesty,) is in effect denied to be a Parliament: the Scope and Intention of that Letter being to make provision how all the Members (as is pretended) of both Houses may securely meet in a full and free Convention of Parliament: whereof no other conclusion can be made, but that this present Parliament is not a full nor free Convention, and that to make it a full and free Convention of Parliament, the presence of those is necessary who, notwithstanding that they have deserted that great Trust, and do levy War against the Parliament, are pretended to be Members of the two Houses of Parliament.

And hereupon we think our selves bound to let Your Majesty know, That seeing the Continuance of this Parliament is settled by a Law (which, as all other Laws of Your Kingdoms, Your Majesty hath sworn to maintain, as we are sworn to our Allegiance to Your Majesty, these obligations being reciprocal,) we must in duty, and accordingly are resolved, with our Lives and Fortunes, to defend and preserve the Just Rights and full Power of this Parliament: and do beseech Your Majesty to be assured, that Your Majesties Royal and hearty Concurrence with us herein will be the most effectual and ready means of procuring a firm and lasting Peace in all Your Majesties Dominions, and of begetting a perfect understanding between Your Majesty and Your People; without which Your Majesties most earnest Professions and our most real Intentions concerning the same must necessarily be frustrated. And in case Your Majesties

sties three Kingdoms should, by reason thereof, remain in this sad and bleeding Condition, tending, by the continuance of this unnaturall War, to their Ruine; Your Majesty cannot be the least, nor the last Sufferer. God in his goodness incline Your Royall Breast, out of pity and compassion to those deep Sufferings of Your Innocent People, to put a speedy and happy issue to these desperate Evils, by the joynt Advice of both Your Kingdoms now happily united in this Cause by their late solemn League and Covenant. Which as it will prove the surest Remedy, so is it the earnest prayer of Your Majesties Loyall Subjects, the Lords and Commons assembled in the Parliament of England.

Westminster the 9 of
March, 1643.

Grey of Wark, Speaker of the House of Peers in
Parliament, pro tempore.

William Lenthall, Speaker of the Commons House
in Parliament.

Whosoever considers that this should be a Letter from Subjects, might well think it very unbecoming language in them, to call His Majesties earnest endeavours for Peace but *Professions*, and their own feigned pretence *most reall Intentions*, but much more menacing language, that *His Majesty cannot be the least, or last Sufferer*; which expressions from Subjects in Arms to their Sovereign, what dangerous Construction they may admit, we are unwilling to mention.

But we need not wonder at the maner of their expressions, when we see in this Letter the Parliament it self, as farre as in them lies, destroyed, and those who here style themselves The Lords and Commons assembled in the Parliament of *England*, not to resolve upon their Answer to their King, without the concurrent advice and consent of the Commissioners, as they call them, of the Kingdom of *Scotland*.

If they had only taken the Advice of the *Scotish* Commissioners, they had broken the Fundamental Constitution of Parliament; the very Writs of Summons, the Foundation of all Power in Parliament, being in expresse terms for the Lords to treat and advise with the King and the Peers of the Kingdom of *England*, and for the Commons to *doe and consent* to those things which by that Common-Council of *England* should be ordained, thereby excluding all others.

But their *League*, it seems, is gone further; the *Scots* must *consent* as well as advise, so that they have gotten a negative voice, and they, who in the former Letter would be the Kings onely Counsel, are now become no Counsel without the *Scotish* Commissioners: the truth is, they have (besides the solemn *League* and *Covenant* with the *Scots*, which their Letter mentions, a strange and traitourous presumption, for Subjects to make a *Covenant* and *League* with Subjects of another Kingdom without their Prince,) made private bargains with the *Scots* touching our Estates, and a private agreement not to treat without their consent, as some of themselves being afraid of a Treaty openly declared to the Common-Council of *London*; and therefore 'tis no wonder, that being touched to
the

the quick with the apprehension that they are not, nor can be in this condition, a full and free Convention of Parliament, they charge us with deserting our Trust, and would have us to be no Members of the Parliament. They may remember it was our want of freedom within, and the seditious Tumults without, their many multiplied Treasons there, and imposing traitourous Oaths, which inforced our absence: but concerning that and the want of freedom in Parliament we shall say no more here, (that being the Subject of another Declaration;) only we wish them to consider by what Fundamental Laws of the Kingdom (which they have lately wrested to serve all turns) they can exclude us from our Votes in Parliament, who were duely summoned, chosen and returned Members of Parliament, and take in those of another Kingdom to their Resolutions, who are not bound by our Laws.

But what violation soever they make of the Laws, they are forward to put the King in minde of His Duty; and therefore tell Him, That He is sworn to maintain the Laws, as they are sworn to their Allegiance to Him, these Obligations being reciprocal. It is true in some sense, that the Oath of the King and Subjects is reciprocal, that is, each is bound to perform what they swear, the King as well as the Subjects; but he that will well weigh their Letter, and make one part have connexion with the other, and examine that part of their *Covenant*, whereby they swear they will defend the Kings person and Authority no further or otherwise then in preservation of their Religion and Liberties, may easily find another construction, *viz.* That the Subjects Allegiance is no longer due then the King performs His Duty, nay, no longer then He in their opinion observes His Duty, whereof they themselves must be Judges; and if He fail in His Duty, they may take up Armes against Him: a Principle which as it is utterly destructive to all Government, so, we believe, they themselves dare not plainly avow it, lest as they now make use of it against the King, so the People finding their failer of Duty and breach of Trust, should hereafter practise it by taking up Arms against them, and so shake off that yoke of Tyranny imposed by their fellow-Subjects which lies so heavy upon them. It were well, as they still press upon the King maintainance of the Laws, they would also know that their obligation to observe the same is reciprocal; and while they here resolve to defend and preserve the full Power of this Parliament, (which in their sense can be no other then the Power they have exercised this Parliament) they would take notice that they are therein so farre from observation of the Laws, that they desperately resolve an utter subversion of them: for what can more tend to the destruction of the Laws, then to usurp a Power to themselves without the King, and against His will to raise Arms, to attribute to their Orders or pretended Ordinances the power of Laws and Statutes, to inforce Contributions, Loans and Taxes of all sorts from the Subject, to imprison without cause shewed, and then prohibit Writs of *Habeas Corpus* for their enlargement, to lay Excises upon all Commodities, to command and dis-

pose

pose of the Lives and Estates of the free-born Subjects of this Kingdome at their pleasure, to impose Tonnage and Poundage, contrary to the Law declared in the late Act for Tonnage and Poundage; and all this done and justified as by a legal civil Power founded and inherent in them? All which are manifest breaches of the Petition of Right and *Magna Charta*, the great Evidence of the Liberties of *England*; which Charter by expresse words binds them and us, though assembled in Parliament, as well as the King: and though it be not now, as heretofore it hath been, taken by solemn Oath on the Peoples part as well as on the Kings, nor a Curse, as heretofore pronounced on the Violaters; yet they having taken a Protestation to maintain the Laws, and the Liberties and Properties of the Subject, and inclusively that Charter, let them take heed, whilest they make use of this their pretended Power to the destruction of the Law, lest a Curse fall upon them and upon their posterity. God knoweth, and it is too certain a truth, that our selves and many other good Subjects in this Kingdom, even under the power of the Kings Army, have suffered exceedingly in Liberty and Estates, during this present Rebellion, by many heavy Charges; the sad consideration whereof makes our hearts bleed, because we can see no way for relief, so long as this unnaturall Rebellion continues: but as these things were first practised by them, and thereby necessitated upon the Kings Army; so it was never yet pretended that they were done by virtue of a Law, but either by Consent, or by the unhappy and unavoidable exigences of Warre, and to expire with the present Rebellion, which God in mercy hasten. For our parts, we have the inward comfort of our own Consciences witnessing with us, that we have improved all opportunities and advantages for the restoring of this Kingdom to its former Peace; and we must witness for His Majesty, His most hearty desires thereof: and though both His Majesty and our endeavours therein have been made frustrate, yet God in his great goodness hath raised up our spirits, not to desert our Religion, our King, our Laws, our Lives, the Liberties of us *English* free-born Subjects; and, by God's assistance and His Majesties concurrence, we do resolve to unite our selves as one man, and chearfully adventure our Lives and Estates for the maintenance and defence of the true Reformed Protestant Religion of the Church of *England*, (of which we profess our selves to be,) for the defence of the Kings Person and Rights of His Crown, for the regaining and maintaining the Rights and Privileges of Parliament, and the Liberty of the Subjects Person, and Property of his Estate, according to the known Laws of the Land, to repell those of the *Scotish* Nation, that have in a warlike manner entred this Realm, and to reduce the Subjects thereof now in Rebellion to the Kings Obedience. And we doubt not but the same God will enlighten the eyes of the poor deceived People of this Land, like true-hearted honest *English*-men, to joyn unanimously with us in so just and pious a work. And the God of Heaven prosper us, according to the goodness of the Cause we have in hand.

The

The Names of the Lords and Commons of Parliament assembled at
Oxford, who did subscribe the Letter to the Earl of Essex,
dated January 27. 1643.

CHARLES P.
YORK.
CUMBERLAND.
Ed. Littleton C. S.
Fra. Cottington.
D. Richmond.
M. Hartford.
E. Lindsey.
E. Dorset.
E. Shrewsbury.
E. Bath.
E. Southampton.
E. Leicester.
E. Northampton.
E. Devonshire.
E. Carlile.

E. Bristol.
E. Berkshire.
E. Cleveland.
E. Rivers.
E. Dover.
E. Peterburgh.
E. Kingston.
E. Newport.
E. Portland.
V. Conway.
L. Digby.
L. Mowbray and
Maltravers.
L. Wentworth.
L. Cromwell.
L. Rich.

L. Paget.
L. Chandois.
L. Howard of
Charlton.
L. Lovelace.
L. Savile.
L. Mohun.
L. Dunsmore.
L. Seymour.
L. Percy.
L. Wilmott.
L. Leigh.
L. Hatton.
L. Jermin.
L. Carrington.

John Fettiplace, Esq;
Sir Alex. Denton.
Sir John Packington.
Sir Tho. Smith.
F. Gamul, Esquire.
Jo. Harris, Esquire.
Joseph Jane, Esquire.
Rich. Edcombe, Esq.
Jonathan Rashleigh, Esq.
G. Fane, Esquire.
P. Edcombe, Esquire.
Will. Glanvill, Esquire.
Sir Ro. Holborne.
Sir Ra. Sydenham.
Fr. Godolphin, Esquire.
Geo. Parry, D. of Law.
Amb. Manaton, Esquire.
Ri. Vivian, Esquire.
Jo. Polewheele, Esquire.
John Arundell, Esquire.
Tho. Lower, Esquire.
Sir Edw. Hide.
Will. Allestree, Esquire.
Sir Geo. Stonehouse.

Ed. Seymour, Esquire.
Peter Sainthill, Esquire.
Sir Will. Poole.
Roger Matthew, Esq.
Ri. Arundell, Esquire.
Ro. Walker, Esquire.
Giles Strangwaies, Esq.
Sir John Strangwaies.
Sir Tho. Hele.
Sir Ger. Naper.
Sam. Turner, D. in Phy-
sick.
Will. Constantine, Esq.
Hen. Killegrew, Esq.
Ric. King, Esquire.
John Dutton, Esquire.
Hen. Bret, Esquire.
Will. Chadwell, Esquire.
Sir Theobald Gorges.
John George, Esquire.
Sir Tho. Fanshaw.
Humf. Conningesby, Esq.
Ri. Seaborne, Esquire.
Arth. Lord Ranelagh.

Tho. Tomkins, Esquire.
Sir Sampson Evers.
Sir John Culpeper.
Jeffrey Palmer, Esquire.
Sir John Harrison.
Tho. Fanshaw, Esquire.
Sir Rog. Palmer.
Sir Orlando Bridgman.
Will. Watkins, Esquire.
John Smith, Esquire.
Sir Tho. Bludder.
Sir Ed. Littleton.
Sir Harvy Bagot.
Sir Ri. Leveson.
Sir Ri. Cave.
Ri. Weston, Esquire.
Sir Ri. Lee.
Sir Tho. Whitmore.
Sir Ed. Acton.
C. Baldwin, Esquire.
R. Goodwin, Esquire.
Tho. Howard, Esquire.
Tho. Littleton, Esquire.
Sir Ro. Howard.

Sir

Sir John Meux.	Will. Smith, Esquire.	Jo. Mostyn, Esquire.
Matthew Davis, Esq.	Tho. Leedes, Esquire.	Hen. Bellasis, Esquire.
Sir F. Cornwallis.	Sir Ja. Thynne.	Sir Geo. Wentworth.
Tho. Jermyn, Esquire.	W. Pleydell, Esquire.	Will. Mallory, Esquire.
John Tayler, Esquire.	Ro. Hyde, Serjeant at Law.	Ri. Aldburgh, Esquire.
William Bassett, Esq.	Sir Ed. Griffin.	John Salisbury, Esquire.
Sir William Portman.	Sir Walter Smith.	Will. Herbert, Esquire.
Sir Edw. Rodney.	Geo. Lowe, Esquire.	William Price, Esquire.
Tho. Hanham, Esquire.	Ric. Harding, Esquire.	Sir John Price.
Ed. Phelps, Esquire.	Sir Hen. Herbert.	Sir Ri. Herbert.
John Digby, Esquire.	End. Porter, Esquire.	Cha. Price, Esquire.
Ed. Kirton, Esquire.	Sam. Sandys, Esquire.	Phil. Warwick, Esquire.
Christ. Leuknor, Esq.	John Bodvill, Esquire.	Tho. Cooke, Esquire.
Sir Edw. Alford.	Will. Morgan, Esquire.	Sir Rob. Crooke.
John White, Esquire.	Will. Thomas, Esquire.	Herb. Price, Esquire.
John Ashburnham, Esq.		John Whistler, Esquire.

These Peers following, being disabled by several accidents to appear sooner, have since attended the Service and concurred with us :

Viscount Cambden.	Lord Arundell.	Lord Newport.
Lord Abergavenny.	Lord Capell.	

Peers imployed in His Majesties Service, or absent with leave.

Marquess of Winchester.	V. Falconbridge.	L. Powys.
Marquess of Worcester.	L. Morley.	L. Herbert of Cherbury.
Marq. of New-Castle.	L. Darcy and Coniers.	L. Hopton.
Earl of Darby.	L. Stourton.	L. Loughborough.
Earl of Huntingdon.	L. Evers.	L. Byron.
Earl of Clare.	L. Daincourt.	L. Vaughan.
Earl of Marleborough.	L. Pawlet.	L. Widderington.
	L. Brudenell.	

Peers absent in the parts beyond the Seas.

Earl of Arundell.	L. Viscount Stafford.	L. Goring.
Earl of S ^t Albans.	L. Stanhope.	L. Craven of Hamsted.
L. Viscount Mountague	L. Coventry.	L. Craven of Ryton.

Peers in Prison for their Loyalty to His Majesty.

Earl of Chesterfield.
L. Mountague of Boughton.

Whoever views these numbers, and considers how many Peers are at this time under age, will quickly know who and how many are privy or consenting to the Counsels at *Westminster*.

These Members of the Commons House following, being disabled by several accidents to appear sooner, have since attended the Service, and concurred with us.

<i>Peter Venables</i> , Esquire.	Earl of Cork.	Sir Thomas Sandford.
Sir John Pawlet.	Sir Gervase Clifton.	Sir William Dalston.
<i>Edward Bagshaw</i> , Esq.	Sir Guy Palmes.	<i>Michael Wharton</i> , Esq.
Sir John Burlafey.	Robert Sutton, Esquire.	Sir Robert Hatton.
<i>Francis Newport</i> , Esq.	<i>Gervase Hollis</i> , Esquire.	<i>James Scudamore</i> , Esq.
<i>Anthony Hungerford</i> , Es.	Sir Patricius Curwen.	Sir John Brooke.
<i>John Russel</i> , Esquire.	Sir Henry Bellingham.	Sir John Stepney.
<i>Thomas Chicheley</i> , Esqu.	Sir George Dalston.	

Employed in His Majesties Service, or absent with leave, or by Sickness.

Sir John Fenwick.	Sir Philip Musgrave.	Sir Walter Lloyd.
<i>Hugh Potter</i> , Esquire.	<i>John Cowcher</i> , Esquire.	Sir Henry Vaughan.
<i>Walter Kirle</i> , Esquire.	<i>John Coventry</i> , Esquire.	<i>Francis Lloyd</i> .
<i>William Stanhope</i> , Esq.	Sir Henry Slingsby.	<i>John Vaughan</i> , Esquire.
Sir William Carnaby.	Sir John Mallory.	<i>Richard Ferrers</i> , Esqu.
Sir Thomas Danby.	<i>John Bellasis</i> , Esquire.	<i>George Hartnoll</i> , Esqu.
<i>John Fenwick</i> , Esquire.	Sir Thomas Ingram.	Sir William Udall.
<i>Ralph Sneade</i> , Esquire.	Lord Mansfield.	Robert Hunt, Esquire.
Sir William Ogle.	<i>Thomas Heblethwayte</i> ,	<i>Thomas May</i> , Esquire.
Sir Thomas Jermyn.	Esquire.	Sir Thomas Bowyer.
Sir John Stowell.	Sir Hugh Cholmely.	Sir Tho. Roe.
Sir Robert Strickland.	Sir George Wentworth.	

Whoever now considers how many have retired themselves into several Counties, and so are absent from *Westminster*, and yet cannot through the danger of Travelling be present at *Oxford*; how many have withdrawn themselves into the parts beyond the Seas; how many of their own principal Instruments are Voted out of the House by themselves, as Sir *John Hotham* & his Son, *S^r Alexander Carew*, *M^r Martin*, *M^r Fiennes*, and many others; and how many now are Imprisoned by them; how many Members from the beginning have been factiously kept from the House upon questions of Election; & how many without any colour are kept in, by not suffering their Elections to be reported; and that there are Thirty five Members dead, into whose rooms no new Persons are chosen; how many since are become

come Barons by descent or Creation ; will easily conclude how small the number is which remains , and of those how few in truth have Right to sit there.

CHARLES R.

Our exprefs Pleasure is , That this Declaration of the Lords and Commons of Parliament assembled at *Oxford* be read by the Parson, Vicar or Curate, in every Church and Chappel within Our Kingdom of *England* and Dominion of *Wales*.

March 19. 1643.

The Declaration of the Lords and Commons of Parliament assembled at Oxford according to His MAJESTIES Proclamation, Concerning their Endeavours since they came thither for the Peace of the Kingdom, and the Reasons enforcing their Absence from Westminster.

WE the Lords and Commons of Parliament, being upon just and important reasons absent from the City of *Westminster*, whither we were Legally called or sent by the Power and Authority of His Majesties Writ, when He summoned His Parliament, and being by His gracious Proclamation of the two and twentieth day of *December* convened at *Oxford*, with full liberty to present our humble Advice to His Majesty, for the preservation of the Religion, Laws and Safety of the Kingdome ; thought it most agreeable to our Duty to God, our zeal and tenderness of His Majesties Honour and Safety, and our Affection and Compassion of the bleeding condition of our miserable Country, to use our utmost and earliest endeavours to prevent the effusion of more Christian *English* Blood, and to close those Wounds through which this Kingdome is in danger, in a short time, to languish even to Desolation. And finding the ill success which had attended all the Overtures of Treaty and Accommodation made by His Majesty ; His Majesties most gracious Message from *Nottingham* being with so much contempt rejected, which being sent by Members of both Houses, those Messengers were not suffered to deliver it as Members, or to sit in the House whilst the same was debated, contrary to the Privilege of Parliament; and that to the

Mr Alexander
Hampden.

Dan. Knipton.

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two last Messages sent by Him, of the twelfth of *April*, and nineteenth of *May*, (in both which are most gracious expressions of His Princely and passionate inclinations to Peace, as may appear by those Messages herewith again re-printed,) there hath not been the least Answer returned to His Majesty; but on the contrary His Messenger imprisoned, and to this day detained, and an Order that on pain of Death none should presume to come thither from His Majesty, upon what business soever, without leave from the Earl of *Essex*; in pursuance of which Order, though the same passed onely the Commons, a sworn Messenger of His Majesties hath been barbarously put to death for carrying a Legall Writ to *London*: we thought any address for Peace would most successfully pass through His hands, and that when * we had considered how unhappily he had been made an Instrument of so much Blood and Devastation, he would with great chearfulness have interposed in a business of Reconciliation, and at least have met us half way in so blessed a Work; and therefore, with His Majesties leave, (which He most readily and graciously gave us, and for which we doubt not He shall receive the Thanks and Prayers of all His good Subjects) we direct a Letter to that purpose to him, signed under our hands. Whosoever reads that Letter (and we hope it will be read by all men) will bear us witness (and it will be a Witness against those who have rejected it,) that we have done our parts. In stead of vouchsafing us any Answer, or proposing us any other way towards Peace, (if that which we proposed was not thought convenient,) he writes a short Letter to the Earl of *Forth*, General of His Majesties Army, acknowledging the receipt of ours, but saying, that it *neither having Address to the two Houses of Parliament, nor therein there being any acknowledgement of them, he could not communicate it to them*; whereas the Address was in the way prescribed, (prescribed under pain of Death, no Address being allowed, as aforesaid, but by the Earl of *Essex*,) and he being desired to represent to and promote with those by whom he is trusted our most sincere and earnest desire of a Treaty: so that if there had been the least inclination to or enduring of an Overture of Peace, he might have as easily communicated it to all those by whom he is intrusted as to a Committee, by whose Advice ('tis well known) his Answer was sent, and with it, and as part of it, a Paper entituled, *The Declaration of the Kingdom of Scotland*, and, *A Declaration of the Kingdoms of England and Scotland*, and another, *A solemn League and Covenant*; the Declarations and Covenant being against the King of both Kingdoms, without the consent of and against the major part of the Nobility, and we are confident the Gentry and Commonalty, of This. And if his Lordship would make good his own Letter, and spend His Blood, or but use his endeavour, for the maintenance of the Parliament of *England*, being indeed the foundation whereupon all Our Laws and Liberties are supported, we should not Treat at this distance, at least a Treaty would not have been rejected. We suffered not Our Selves

to be discouraged with this refusall, but a safe Conduct was desired for two Gentlemen (against whom there neither was nor could be the least Exception) to goe to *Westminster*, to present such Propositions as might best conduce to the Peace of the Kingdom; conceiving that by such means our meaning and intentions might best appear, and all formalities and unnecessary insisting and mistakes upon words might be removed. This safe Conduct (which hath never been denied by His Majesty, or His Generals, to any person who hath desired to have admittance to Him,) was likewise absolutely refused by the Earl of *Essex*; yet with some expressions, *That if any Propositions should be sent to those by whom he was intrusted, he would use his utmost endeavours to advance the Peace*: which though it seem'd nothing agreeable to his former Answers, obtained yet so much credit with us, that we besought His Majesty once more in His own Royal Name to press and desire a Treaty, and to direct His Message under such a Title, that they who call themselves the two Houses of Parliament could not take any Exception, but should be compelled to return some Answer or other. And an Answer it hath drawn from them, but such an one as will sufficiently inform the World (if there could yet have remained any doubt of it) how much they are Enemies to Peace. Those *Answers, Declarations*, and that *Covenant*, are likewise publick to all men: God and the World must judge between us. In the mean time we must, without bitterness or sharpness of Language, (to which neither example or provocation shall transport us) tell these men, That most of us are too well known, even to themselves, to be suspected to incline to be either Papists or Slaves, or that we can possibly be made Instruments to advance either Popery or Tyranny. And since the defence of the Religion, Laws and Liberties of the Kingdom, seems to be (and in truth is on our part) the Argument of this bloody Contention, and that we are endeavouring all wayes to destroy one another in the behalf of that we all do or all pretend to desire; we think our selves obliged to Truth, to the present Age, and to Posterity, to let the world know, That as we are much more tender of the Religion, Laws and Liberty of the Kingdom, then of our Lives and Fortunes; so the uneasie Condition wherein we are, and the heavie Judgements and Proscriptions imposed on us by our Equals, have proceeded and been caused from that Conscience, Loyalty and Duty in which we have been born and bred, and from which we could not swerve without the manifest breach of our Allegiance, and those civil Oaths we are obliged by: as, we hope, will appear to all men by this our ensuing Declaration.

We shall pass over (only acknowledging His Majesties abundant care and favour to His People) those excellent Laws made this Parliament for the vindication and removal of those Mischiefs and Inconveniences which seemed to threaten our Rights and Liberty, to all which there are very few amongst us who concurred not fully, (however we

are now traduced with the negligence of both ;) and that most gracious Offer of His Majesty, to consent to an Act for the ease of tender Consciences in matters indifferent, which if it had been accepted, would have prevented many of the Miseries have since befallen this poor Kingdom.

And because the Name and Privilege of Parliament is pretended in defence of those Actions which are done contrary to the known Laws, (by which only Right and Wrong can be measured and determined,) and by that venerable Name many of our Companions and Friends have been led into unwarrantable Actions ; before we come to consider the state and condition of the Religion, Laws and Liberty of the Kingdom by these Distractions, we shall let the world know, how much the inherent and essential Privileges of Parliament have been violated ; how we (being called by His Majesty, and trusted by our Country with their Suffrages in that Council) have been driven, and are now kept from the place whither we were first called by His Majesty, & where some Members still sit ; and lastly, how farre this miserable and (to say no more) this unjustifiable Civil Warre, and this desperate and odious Invasion of a Forein Power to invade this Kingdom, is from having the Countenance, Authority and Approbation of the two Houses of Parliament.

As in the case
of the late Earl
of Manchester,
Lord Privy-
Seal.

The great Industry and ill Arts used by those who have since been principal Instruments of the present Rebellion, to bring in Persons of their Faction into the House of Commons ; the admitting and receiving such who were neither lawfully chosen nor lawfully returned by their Country, and the putting and keeping out others whose Opinions were not liked ; the reprehending, reproaching and imprisoning of Members for speaking freely according to their Consciences in matters in debate ; the Posting & setting up mens Names in publick places, & proscribing them as Enemies to their Countrey, who dissented in the Houses in opinion in matters debated, and being complained of, no reparation granted ; the sitting at unparliamentary hours, thereby wearying and tiring many Members from attendance, and so in a thin House altering and reversing the resolution taken in a full House ; the refusing to receive and suppressing Petitions against Persons in favour, though in point of Bribery and corruption in Judicatory, and the like of other Petitions from whole Counties for the preservation of the Government of the Church, as from *Nottinghamshire* and *Somersetshire*, whilst others against it were received with great countenance and approbation, from mean, unknown people ; the getting with great labour and Faction several hands to Petitions from Counties, and then framing new Petitions at *London*, and annexing the hands formerly gotten in the Country to those Petitions, of which they who subscribed their hands know nothing, as in the Petition of *Buckinghamshire*, and the setting names in *London* to Petitions in the name of, as if they had been subscribed in, remote Counties ; the usurping of Jurisdictions to supersede Acts of Parliament, and to dispense with the
breach

breach of Laws in force; the suffering undutiful and disloyal language against the Sacred Person of the King, without so much as Reprehension, and the denying His Majesties Negative Voice; we insist not so much on, (though very prejudicial and scandalous to the Privileges and Honour of Parliament) as on those Acts of Force and Violence which are contrary and destructive to the Freedom and Liberty of Parliament.

Shortly after His Majesty returned from *Scotland*, there being a very long debate in the House of Commons concerning an unparliamentary *Remonstrance* to be published to the People of the State of the Kingdom, (which many of us then thought might prove prejudicial to the Peace thereof) Captain *Venne*, then a Member of the House of Commons, (who had before bragged of having brought down the People upon the two Houses, and so drawn Resolutions from them,) sent Notes in writing under his hand into the City, that the People should come down to *Westminster*, for that *the better part of the House was like to be over-powered by the worse part*: whereupon, both at that time and some dayes after, Multitudes of the meanest sort of people, with weapons not agreeing with their condition or custome, in a manner very contrary and destructive to the Privilege of Parliament, filled up the way between both Houses, offering Injuries both by words and actions to, and laying violent hands upon, several Members, proclaiming the Names of several of the Peers, as *evil and rotten-hearted Lords*, crying out many hours together against the established Laws in a most tumultuous and menacing way. This action of Captain *Venne's* was complained of to the House of Commons, and Witnesses offered to prove it; a Fellow who had assaulted and reproached a Member of the House of Commons in those Tumults was complained of, and shewed to the House, in the number of those who brought a Petition to the Barre: and yet in neither of these cases Justice, or so much as an Examination, could be obtained. Upon a suggestion and pretence of Danger, and suit made to His Majesty, a Guard was allowed and appointed by Him for the Security of both Houses: shortly after this Guard was refused and discharged by themselves, and a new Guard appointed by them without His Majesties Consent, thereby to awe all those who concurred not with them. A legall Writ issuing out by the direction of the House of Peers under the Great Seal of *England*, to prevent those Tumults which daily infested both Houses, the Justices of the Peace, for executing that Writ according to their Oaths, were imprisoned by the House of Commons. A Commission under the Great Seal of *England*, for enquiry after Riots committed in *Southwark*, was likewise superseded by an Order of the House of Commons: and when the Lords desired by several Messages, that the House of Commons would joyn with them in a Declaration against Tumults, they refused, or neglected to joyn with them, it being said by Mr *Pym* in the House of Commons, *God forbid we should dishearten our friends who came to assist us.* And al-

beit some of the Lords professed, that if the People were again drawn down in that tumultuous manner, they would no more come to the House; and albeit an Order was made, that in such a case the House should be presently adjourned; yet those Tumults again appearing, that Order, though urged by several Lords, was not suffered to be executed.

The House of Commons having desired the House of Peers to joyn with them in desiring His Majesty that the *Militia* of this Kingdom might be put into such hands as both Houses did confide in, and this desire having been put to the Question, and carried negatively by much the major part of the Lords; it being again resumed at another time (contrary to the course of Parliament) the debate was begun with a Declaration made by several of those Lords against whom that Question was twice carried by Votes, (and that by much the major part) that *whosoever refused in this particular to joyn with the House of Commons, were in their opinions enemies to the State*; words destructive from the Liberty and Freedom of debate.

During the time that this business of the *Militia* was in debate, (that is, before it had the approbation and consent of the House of Peers) a Petition in a tumultuous manner was delivered to the House of Lords, in the name of the *Knights, Gentlemen, Free-holders, and others the Inhabitants of the County of Hartford*, reckoning up the causes of the present Fears, Troubles and Distractions, and amongst them the want of Compliance in that Honourable House with the House of Commons, in entertaining those many good motions and passing those necessary Bills presented to them from that House for the publick good, and desiring liberty to protest against all those as Enemies to the publick who refused to joyn with the Honourable Lords whose endeavours were for the publick good, and with the House of Commons, for the putting the Kingdom into a posture of Safety under the Command of such persons as the Parliament should appoint. Several Petitions of the same nature, particularly one under the Title of the *Knights, Gentlemen, Free-holders, and other Inhabitants of the County of Surrey*, directed to the House of Peers, concluded with this close, *That they should be in duty obliged to maintain their Lordships so farre as they should be united with the House of Commons in their just and pious proceedings*; sufficiently intimating that if they joyned not with the House of Commons, they then meant as much as others had plainly professed. About the same time, a Citizen saying at the Barre of the House of Commons, *That they heard there were Lords who refused to consent and concurre with them, and that they would gladly know their names, or words to that effect*: a Petition in the name of many thousand poor People, in and about the City of London, was directed to the House of Commons, taking notice of a malignant Faction that made abortive all their good motions which tended to the Peace and Tranquillity of this Kingdom, desiring that those noble Worthies of the House of Peers who concurred with them in their happy Votes, might be earnestly desired to joyn with
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that Honourable House, and to sit and Vote together as one entire body; and professing that unless some speedy remedy were taken for the removing all such Obstructions as hindred the happy progress of their great Endeavours, their Petitioners should not rest in quietness, but should be forced to lay hold on the next Remedy which was at hand, to remove the disturbers of the Peace, and (Want and Necessity breaking the bounds of Modesty) not to leave any means unassayed for their relief; lastly, adding, that the cry of the Poor and needy was, that such Persons who were the obstacles of their Peace, and the hinderers of the happy proceedings of this Parliament, might be forthwith publicly declared, whose removal they conceived would put a period to those Distractions. And this Petition was brought up to the House of Lords by the House of Commons at a Conference: And after, the same day, Master Hollis, a Member of the House of Commons, in a Message from that House, pressed the Lords at their Barre to joyn with the House of Commons in their desire about the Militia; and farther, with many other expressions of like nature, desired in words to this effect, That if that desire of the House of Commons were not assented unto, those Lords who were willing to concurre would finde some means to make themselves known, that it might be known who were against them, and they might make it known to those that sent them. After which Petition so strangely framed, countenanced and seconded, many Lords thereupon withdrawing themselves, the Vote in order to the Militia, twice before rejected, was then passed.

After these and other unparliamentary Actions, many things rejected, and settled, upon solemn debate, were again, after many Threats and Menaces, resumed, altered and determined, contrary to the Custome and Laws of Parliament. And so many of us withdrew our selves from thence, where we could not Sit, Speak and Vote, with Honour, Freedom, and Safety, and are now kept from thence for our Duty and Loyalty to our Sovereign. And though some of us Sate and continued there long after this, hoping that we might have been able to have prevented the growth and progress of farther Mischiefe; yet since the Privilege of Parliament is so substantial and entire a Right, that as the invasion of the Liberties of either House is an injury to the other and the whole Kingdom, so the violence and Assaults upon any of our fellow-Members, for expressing their opinions in matters of debate, were instances to us what we were to look for when we should be known to dissent from what was expected; and under that consideration every one of our just Liberties suffered violation:

Many of us for these and other reasons, after His Majesty Himself was by many Indignities and Force driven from Westminster, have been, contrary to the Right and Freedom of Parliament, Voted out of the House, without committing any Crime, and some of us without hearing, or so much as being summoned to be heard; and so our Countries, for which we were and are trusted, have been without any Proxies or Persons trusted on their behalf. An Army hath been raised without and against
His

Mr Gamul.

His Majesties Consent; and a Protestation enjoined to live and dye with the Earl of *Essex*, their General of that Army; and a Member now amongst us, refusing to take that Protestation, was told, That if he left not the Town speedily, he should be committed to the Tower, or knocked on the head by the Souldiers. All Persons, even the Members of both Houses, have been and now are forced or enjoined to contribute for the maintenance and support of that Army. A traitourous Covenant is since taken by the Members who remain, and imposed upon the Kingdome, That they will to their power assist the Forces raised and continued by both Houses of Parliament, against the Forces raised by the King, with many other Clauses directly contrary to their Allegiance; and another for the alteration of the Government of the Church established by Law: and such Members as have refused, according to their Duty and Conscience, to take those Covenants, have been imprisoned or expelled; so as they have suffered none to reside with them, but those who are engaged with them in their desperate courses.

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The whole Power and Authority of both Houses is delegated, against the Law and nature of Parliament, to a close Committee, which assumes and usurps the Power of King, Lords and Commons, disposes of the Persons, Liberties and Estates of us and our fellow-Subjects, without so much as communicating their Resolutions to those that sit in the Houses. And when an Order hath been reported, to be confirmed by them, it hath been only put to the Question, no debates being suffered, it having been said in the House where the Commons sit to those who have excepted against such an Order when presented, *That they were onely to Vote, not to dispute*; and thereupon all Argument and contradiction hath been taken away. And to shew how impossible it is to contain themselves within any * bond of civility and humanity, when they have forfeited their Allegiance, after the attempt in a most barbarous manner to murder the Queens Majesty at Her landing at *Burlington*, by making many great shot at the house where She lodged for Her repose after a long Voiage by Sea, where by God's blessing it was disappointed, they impeached Her of High Treason, for assisting the King Her Husband and the Kingdom in their greatest necessities. All Petitions and Addresses for Peace have been with great Art and vehemence discountenanced and suppressed; whilst others for Sedition and Discord have with no less industry and passion been promoted. And when the Members of the House of Commons, in *August* last, had agreed, upon a long and solemn debate, to joyn with the Lords in sending Propositions of Peace to His Majesty, the next day printed Papers were scattered in the Streets, and fixt upon the publick places both in the City and Suburbs, requiring all Persons well-affected to rise as one man, and to come to the House of Commons next morning, for that 20000 Irish Rebels were landed; which direction and information was likewise that day given in Pulpits by their Seditious Preachers: and in some of those Papers were subscribed, *That the Malignant Party*

Party had over-voted the good, and if not prevented there would be Peace, (the Propositions for Peace being the day before carried by nine and twenty Voices.) A Common-council was called late at night, though Sunday, and a Petition there framed against Peace, which was the next morning brought to the House, countenanc'd by Alderman Pennington (a known Promoter and Governour of those Tumults,) and attended with a great multitude of mean Persons, who used Threats, Menaces and Reproaches to the Members of both Houses. Their Petition took notice of *Propositions passed by the Lords for Peace, which if allowed, would be destructive to Religion, Laws and Liberties;* and therefore desired an Ordinance according to the Tenor of an Act of their Common-council the night before. Thanks was given them by the Commons, whilst the Lords complained of the Tumults, and desired a concurrence to suppress them, and to prevent the like; many of the People telling the Members of both Houses, *That if they had not a good Answer, they would be there the next day with double the number.* By these Threats and Violence the Propositions formerly received were rejected, and all thoughts of Peace laid aside. Shortly after, great numbers of Women resort to the House where the Commons sate, with a Petition for Peace. Troops of Horse were hereupon sent for, who wound and kill several of the Women, and disperse the rest. Then special notice was taken of those Members who seemed most importunate and desirous of Peace; and thereupon the late Covenant eagerly and severely pressed upon them. By reason whereof and the other miscarriages, whereby their freedom was absolutely taken from them, divers of both Houses withdrew themselves.

And we must now appeal to all our fellow-Subjects of this Kingdom who have taken the Oaths of Allegiance and Supremacy, who have any knowledge of the Rights, Customs and Privileges of Parliament, or of the frame and Constitution of this Realm, whether we or they have failed in our Duty to our King or Countrey; and whether we have not in discharge of a good Conscience undergone the evils we have born. And then we doubt not, we shall not be thought less Members of Parliament, though we are not at *Westminster*, then if that City were in the possession of a Forein Enemy. Yet we confess the Place to be so material, that if there were that Liberty and Freedom which is due to the Members, and indeed is the life of Parliament, the Act of those in the House (being a lawful Act) is the Act of the House, though there were a greater number absent, all who were of another opinion: but in our case, when we are by force driven away, and by force kept away, and when nothing can be said to justify the Actions which are done, but the Reputation and Number of the Actors, we rely so much upon the understanding and honesty of our Country-men, that they will believe, when they see our concurrence and unanimity in Resolutions and Counsel for their Peace, welfare and security, (as we are confident the number of those who concur in this Declaration is greater then hath concurred in most, if not in any of those things of which we complain,) that it will be better for them

them to be advised by us at *Oxford* then by those at *Westminster*; from whence we are absent onely by reason of those Outrages and Violence offered to our Persons or our Consciences, which takes away all Freedom, and consequently all Authority, from those Councils, and where indeed these men ought not to undertake to act any thing, till that Freedom and Liberty be restored to us, who as long as this Parliament shall continue (notwithstanding all the Votes of those who are guilty of Treason and Rebellion) must account our selves, and shall be accounted by our Countrey, the true and lawful Members of Parliament.

Having said thus much to undeceive our Brethren, and that our fellow-Subjects may be no longer seduced to unlawful actions by colour and pretence of Parliament, we shall briefly present to their view and consideration the danger and condition of His Majesties Person, His Honour and Rights, the Religion and Liberty of the Kingdome, the defence and maintenance of which those Persons with whom we cannot agree seem and pretend to undertake. For their Care of the Honour and Safety of His Majesties Person, (to the which we are so absolutely obliged and so solemnly sworn) we shall need onely to mention (which we mention with great sadness of heart and horror) the taking by force His Majesties Forts, Towns, Navy, the assuming a power over the *Militia* of the Kingdom, the denying His Majesties Negative Voice, the uncomely, insolent and disloyal mentioning of His Majesties Person, the neglect, contempt and violation of Leagues made by His Majesty with Foreign Princes, in the Injuries and Affronts done to their publick Ministers and otherwise, the transcendent presumption of sending Agents to Foreign Princes, and in the name of the States of *England*, the traitourous distinction between the Person of the King and His Office, and declaring that an attempt upon His Life is not High Treason; (which Doctrine is so much countenanced, that Persons who have threatned to Kill the King, having been complained of, have been left unpunished, and the Witnesses and Prosecutors threatned or discountenanced) the raising an Army against Him, and therewith giving Battel to His Person: All which are known to be very unagreeable with the Affection, Duty and Loyalty of Subjects, and *English-men*.

Concerning Religion, we cannot but with bleeding hearts and trembling souls consider the unheard-of Impieties and Prophanations exercised in Churches and Consecrated places; the Countenance and licence given to scandalous, debosh, ignorant Lay-persons to Preach and exercise the Office of the Ministry; the suppressing and cruel using and imprisoning in Gaols and on Ship-board Godly, Learned, Orthodox Divines, famous and exemplar in their Lives and Doctrine, the most eminent Assertors of the Protestant Religion against Popery and Innovations; the scurrilous and scandalous reviling, scoffing & suppressing the Book of Common-Prayer, compiled by glorious Martyrs for the Protestant Religion, established by Law, and so long and so publicly used and acknowledged as an excellent and unparallel'd form of Devotion and
Divine

Divine Service; the suspending the execution of the Act of Parliament made in the first year of Queen *Elizabeth* of famous memory, for Uniformity of Common-Prayer, by an Order under the hand of a private Member of the House of Commons, and that during the recess of both Houses; the stirring up and inciting the People to Rebellion in Pulpits; and (which is the greatest Scandal and Reproach to the Protestant Religion that can be imagined) the making Religion it self the ground and cause of Rebellion; lastly, after having lived so many years in the most glorious and most unblemished Church of Christendom, the total defacing and pulling down the whole Fabrick of it, censuring and reproaching the Doctrine, and destroying the Discipline, and (as if we were cast ashore in some uninhabited Climate where the Elements of Christianity were not known) the calling (without the least shadow or colour of Law or Lawful Authority, against His Majesties express Consent, manifestly against the Statute of 25th year of King *Henry* the Eighth) an *Assembly of Divines*, composed of some Noblemen, Gentlemen, and Ministers, (all under the style of Godly and Learned Divines) most of which are not otherwise known then by their Schism and Separation from that Church in which they were born, and to which they have subscribed; and these men now must new-make and mould the Religion by which we must all be saved. God in his good time we hope will vindicate his own Cause, and repair the breaches which have been lately made.

For the Laws of the Land and the Liberty of the Subject, so speciously urged and pretended to be the end of those who have disturbed our Peace, we need say little; every place and every person is an ample evidence and testimony of the bold and avowed violation of either. The Charter of our Liberties, *Magna Charta*, so industriously and Religiously preserved by our Ancestors, and above Thirty several times confirmed in Parliament, that Rampire and Bulwark of all the precious Privileges and Immunities which the Subjects of this Kingdom could boast of, and which distinguishes them from all the Subjects of Christendome, is levelled and trampled under foot, scorned, despised and superseded by Votes and Orders; men of all sorts, Clergy and Laity, imprisoned without the least charge that by the Law is called a Crime, and their Estates are sequestred by persons of whom the Law can take no notice; Committees made by Committees, Rob, Banish, and Imprison the Lords and Commons of *England*; men committed by persons of no Authority, for no cause, to Prison, have by *Habeas Corpus* (the good old Remedy and Security for our Liberty) been brought to the Kings Bench, and by command of those who first committed them remanded, and Commands given to the Judges that they should grant no *Habeas Corpus* (which they were sworn to grant) to any Persons committed by them, or by those to whom they grant Authority to commit, which themselves have not power to doe. Neither can we pass over the motion made by *M^r Rigby*, a Member of the House of Commons, to transport those Lords

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and

M. Tcomans &
M. Bourchier of
Bristol.
M. Tompkins,
M. Chaloner, at
London, and di-
vers others.

and Gentlemen who were Prisoners, and by them accounted Malignants, to be sold as Slaves to *Argiers*, or sent to the new Plantation in the *West-Indies*; urged the second time with much earnestness, because the Proposer had contracted with two Merchants to that purpose: the which though it took no effect at that time, may awaken those who have observed so many things to pass and be ordered long after they have been once or twice denied and rejected. And who sees the new and inhumane way of imprisoning Persons of Quality under Decks on Ship-board, by which cruel usage many of our Countrymen have been murdered, may have reason to fear they may be hereafter carried a longer voiage then is yet avowed. The twentieth part of our Estates is at once taken, and if we are not willing to obey that Order, the other Nineteen are taken from us as Malignants; a term unknown and undefined, and yet crime enough to forfeit our Lives and all that we have. Our fellow-Subjects have been executed in cold blood, for doing that which by the Laws of God and Man they were bound to doe; and after their Murder, their Estates seized, and their Wives and Children exposed to Misery and Famine. Laws made, and Penalties imposed by Laws this Parliament are suspended, dispensed withall, and those things done by Order against which those Laws were made. And that there may be no face of Justice over the Land, the Judges are prohibited to ride their Circuits, for the administration of that Justice which the King owes His People, and they are bound to execute. And after all this, and after the merciless shedding so much *English* blood, after the expending so much money, (much of which was given for relief of our poor Protestant Brethren of *Ireland*, and diverted for the improving the Distractions at home,) after the transportation of such vast summes of money and great Treasure into Foreign parts, to the unspeakable impoverishing this poor Kingdom; to make our Misery lasting and our Confusion compleat, a Foreign Enemy is invited and brought into the Bowels of this Kingdom, to drink our blood, to divide our Possession, to give us new Laws, and to Rule over us. And the better to make way to those horrid Impositions, by confounding and making void all civil Rights and Proprieties, and the better preparing the Kingdom to be shared by Strangers, a New Great Seal (the special ensign of Monarchy, and the onely way by which Justice is derived and distributed to the People) is counterfeited and used, albeit it be by the expresse letter of the Statute of the 25. year of King *Edward* the Third declared to be High Treason.

Having now made this clear, plain Narration to the Kingdom, (the truth and particulars whereof are known to most men) that when Posterity shall finde our names in the Records of these times, as Members trusted by our Countrey in that great Council by whose Authority and Power the present Alteration and Distraction seems to be wrought, it may likewise see how far we have been and are from consenting to these desperate and fatal Innovations; we cannot rest satisfied without Declaring
and

and publishing to all our fellow-Subjects and to the whole World, That all our Intentions and Actions have been, are, and shall be directed to the defence of His Majesties Person and just Rights, the preservation of the true Protestant Religion, and Liberties of the Kingdom established by Law : That as we do with all humility to God Almighty, and as a great Blessing from him, acknowledge His Majesties happy and Religious Reign and Government over this Kingdom, and especially the excellent Laws and Statutes made in His time, and particularly those in this Parliament ; so we do with all duty and submission Declare, That His Majesty is the onely Supreme Governour of this Realm in all Causes, Ecclesiastical and Temporal ; That His Natural Person is not to be divided from His Kingly Office, but that our natural Allegiance, and the Oaths of Allegiance and Supremacy, do bind us and all His other Subjects to Loyalty and Allegiance to His Natural Person ; That His Majesties Negative Voice (without which Monarchy is dissolved) is an inherent Right of His Crown, and that no Orders of one or both Houses of Parliament, without His Majesties express Consent, can make a Law to bind the Subjects either in their Property or Liberty ; That we do from our Souls abhorre the present Rebellion raised in this Kingdom against His Majesty, and that all His Majesties Subjects are bound by their natural Allegiance, and the Oaths lawfully taken by them, to the utmost of their power to resist and repress the same, and particularly the Army now under the Command of the Earl of *Essex*, and all other Armies raised or to be raised without His Majesties Consent, under pretence of the two Houses of Parliament. And we do disclaim all Votes, Orders and Declarations in countenance or maintenance of the said Armies ; and Declare, That no Oath or Covenant voluntarily taken, or enforced, doth or can bind or dispense with the breach of those other Oaths formerly and lawfully taken to His Majesty ; and that all those who aid, assist or abett this horrid and odious Rebellion, are and ought to be accounted and pursued as Traitors, by the known Laws of the Land ; That we utterly detest and disclaim the Invitation which hath been made to His Majesties Subjects of *Scotland* to enter this Kingdom with an Army, the same being as much against the Desires as against the Duty of the Lords and Commons of *England*, and all true-hearted *English*-men. And we do Declare and publish to the World, That as any such Invasion or Hostile entry into the Kingdom by the Rebellious Subjects of *Scotland* is a direct and peremptory breach of the late *Act of Pacification* between the two Kingdoms ; so that we and all the Subjects of this Kingdom are bound by our Allegiance, and by that very Act, to resist and repress such Invasion : and whosoever is or shall be abetting, aiding or assisting to those of *Scotland* in their Hostile Invasion of this Kingdom, ought to be looked upon as betrayers of their Country, and are guilty of High Treason by the known Laws of the Kingdom.

And that our weak, misled and seduced Countrymen may no longer pay an implicate regard and reverence to the abused name of

Parliament, (which these guilty Persons usurp to themselves) and so submit to those Actions and Commands which two Houses of Parliament (never so legally and regularly constituted) have not Authority to require or enjoyn ; and since these men will not suffer their poor Countrey to be restored by a Treaty to the benefit of a Parliament, which would with God's blessing easily remove these Miseries, and prevent the like for the time to come ; we must and do declare to the whole Kingdome, That as at no time either or both Houses of Parliament can by any Orders or Ordinances impose upon the People without the Kings Consent ; so by reason of the want of Freedom and Security for all the Members of Parliament to meet at *Westminster*, and there to Sit, Speak and Vote with Freedom and Safety, all the Actions, Votes, Orders, Declarations, and pretended Ordinances, made by those Members who remain still at *Westminster*, are void and of none effect ; and that as many of the Lords and Commons assembled at *Westminster* as have at any time consented to the raising of Forces under the Command of the Earl of *Essex*, or to the making & using of the new Great Seal, or to the present coming of the *Scots* into *England* in a warlike manner, have therein broken the Trust reposed in them by their Country, and are to be proceeded against as Traitors. And yet we are farre from dissolving or attempting the dissolution of this Parliament, or the violation of any Act made and confirmed by His Majesties Royal Assent this Parliament, which we shall alwaies maintain and defend : Acts of Parliament are only in danger to be destroyed by those who undervalue and despise the Authority and Power of Acts of Parliament, who therefore deny the Kings Negative Voice and neglect His Concurrence, that their own Resolutions may be reputed as Acts of Parliament, to the Ruine and Confusion of all Laws and Interest. It is our grief in the behalf of the whole Kingdom, that since the Parliament is not dissolved, the Power thereof should, by the Treason and Violence of these men, be so farre suspended, that the Kingdom should be without the fruit and benefit of a Parliament, which cannot be reduced to any Action or Authority, till the Freedom and Liberty due to the Members be restored and admitted ; and they who oppose this, must be only looked upon as the Enemies to Parliament : in the mean time we neither have nor shall attempt any thing for the Adjourning, Dissolving or Proroguing thereof, otherwise then as it may stand with the Act in that case provided.

Lastly, we declare, That our endeavours, actions and resolutions tend and are directed, and shall alwaies be directed, to the maintenance of God's true Religion established by Law within this Kingdom, to the defence of His Majesties Sacred Person, His Honour and just Rights, to the preservation of the Liberty and Property of the Subject, settled and evident by the Laws, Statutes and Customes of the Realm, and the just Freedom, Liberty and Privilege of Parliament ; and that what we shall doe for the defence and maintenance of all these, proceeds from

from the conscience of our Duty to God, our King and Country, without any private and sinister ends of our own, and out of our sincere love to Truth and Peace, the which as we have, so we shall alwaies labour to procure, as the onely blessed End of all our Labours. And we do therefore conjure all our Countrymen and fellow-Subjects, by all those precious obligations of Religion to God Almighty, of Loyalty towards their Sovereign, of Affection towards one another, and of Charity and Compassion towards their bleeding Countrey, to assise and joyn with us in the suppressing those Enemies to Peace, who are so much delighted with the Ruine and Confusion they have made, that they will not so much as vouchsafe to Treat with us, that all specious Pretences might be taken away, and the grounds of this bloody Contention clearly stated to the World. If these men, with a true sense and remorse of the ill they have done, shall yet return to their Duty and Loyalty, they shall (God willing) finde us of another temper towards them then they have been towards us: and if the conscience of their Duty shall not draw all our fellow-Subjects and Countrymen to joyn with us in assising His Majesty, we hope that the prudent consideration, That 'tis impossible to Reason for our miserable Country ever to be restored to Peace and Happiness, but by restoring all just and legally-due Power and Authority into His Majesties hands again, will direct them what is fit to be done by them. And if any yet shall be so unskilful, and, to say no worse, vulgar-spirited, to hope by a Neutrality and odious Indifferency to rest secure in this Storm, though we shall not follow the examples of other men, in telling them, that their Estates shall be forfeited and taken from them, as pernicious and publick Enemies, (God be thanked, the Law is not so suppressed, but that it proceeds in Attainders and Forfeitures, and all men know an Estate escheated to His Majesty by High Treason is as much, as legally His Majesties, or his to whom His Majesty grants it, as ever it was the unhappy Persons who hath so forfeited it;) yet we must let them know, that their Condition is like to be very dangerous; and that as they (for resistance of whom His Majesties Armies are raised) have declared to them what they are to expect at their hands, that is, to be dealt with as pernicious and publick Enemies, so they have reason to believe, that His Majesty cannot look upon them as persons who have performed that Duty they are obliged by their natural Allegiance and their Oathes enjoined by Law, which is, *to defend the King to the utmost of their Power against all Conspiracies and Attempts whatsoever which shall be made against His Majesties Person, His Crown and Dignity, and to doe their best endeavours to disclose and make known to Him all Treasons and Conspiracies which shall be against Him, to their power to assist all Jurisdictions, Privileges, Preeminencies and Authorities belonging to Him, or united to the Imperial Crown of this Realme.* The just and pious consideration and weighing of which Oath and obligation must stirre up all men of Loyalty and Conscience, to be industrious and active on

His Majesties behalf against this horrid and odious Rebellion, and against the Authors and Fomenters of the same. And we are confident it will not a little encrease the Indignation of all good true *Englishmen*, to finde these Disturbers of their Peace, who have so speciously pretended the defence of the Rights and Privileges of Parliament, unite themselves with and govern their Actions by the concurrent Advice and Consent of Commissioners of another Kingdom, whose business is to alter our Laws, and confound our Government. And if all the other particulars so plainly set down in this Declaration, and so publickly known to most men, were wanting, there could not be a greater instance of deserting the Dignity and Right, and, as much as in them lies, cancelling all the Liberties and Privileges of Parliament, then for these men to break the Trust reposed in them by their Country, and to submit themselves to the Advice, and oblige themselves to the Consent of Agents of another Kingdom, who have cast off their Allegiance, and united themselves together against their natural and native King, and against the Laws of both Kingdomes, and have given an ample testimony to all those they have misled, how farre they are from submitting or intending to be governed by Parliament, or by those who would yet be thought the two Houses of Parliament, by joyning four *Scotch-men* (Agents for that Rebellious Army which hath invaded this Kingdom) in equal power and authority with seven Lords and fourteen Commons, by whose sole and uncontrolled managery and consent all business of Peace and Warre, which doth or may concern this languishing Kingdom, must be governed. And yet these men take it very haينously that His Majesty should move them, in order to Peace, to agree that all the Members of both Houses may securely meet in a full and free Convention of Parliament; because (they say) *from thence no other Conclusion can be made, but that this present Parliament is not a full nor free Convention, and that to make it such the presence of us is necessary.* We must appeal to all the World, whether in truth that Conclusion be not very apparent from the truth of their Proceedings, and even to the Consciences of these men themselves; whether whilst we were amongst them, we enjoyed that Liberty and Freedom which was due to us; and whether (if there were no danger or breach of Duty in being willingly and constantly present where Actions of Treason are plotted and concluded) we could now be with them without engaging our selves in that *Covenant*, which as it takes away all freedom and liberty of Counsel, so cannot be taken without the violation of our Duty and Allegiance. For the deserting the great Trust reposed in us we cannot with the least colour be accused; we wish it had not been or were not now broken on their parts: on ours we are sure it is not; except observation of our Oaths lawfully taken and enjoined, and submission to the known established Laws of the Land, the preservation of which is our greatest Trust, be to desert the Trust reposed in us. What they have done, who have broken through all these, and will not at last consent to the binding up the wounds

wounds they have made, we must leave to the world to judge. In the mean time, since 'tis apparent they use their utmost endeavours to make Peace impossible, and (having enriched themselves by these publick Calamities, and impoverished their Countrey by the transportation of the Wealth thereof into Forein parts) have left themselves no other means to repay those vast Summes they have extorted from the People upon that they call *Publick Faith*, but out of the Estates of those who have preserved their Duty and Loyalty entire, and at the price of their Religion and Laws intend to establish a Government and Empire to themselves; all good men who desire Peace will joyn with us in the suppressing these Enemies of Peace, and by a resolute and unanimous Declaration of themselves, rise as One Man in the assistance of His Majesty with their Persons and their Fortunes, which is the onely means, with God's blessing, to restore and preserve the Religion, Laws and Liberties of the Kingdom, and the very Being of Parliaments: the which if these men have any minde to doe (it being not so easily to be done any other way) they will at last be willing that all the Members of both Houses may meet in a full and free Convention of Parliament, which we have alwayes desired, and shall be alwayes ready to doe.

His MAJESTIES Message to both Houses, April 12.

1643. Concerning Disbanding of both Armies, and His MAJESTIES Return to both Houses of Parliament.

TO shew to the whole World how earnestly His Majesty longs for Peace, and that no success shall make Him desire the continuance of His Army to any other end, or for any longer time then That, and untill things may be so settled, as that the Law may have a full, free, and uninterrupted course, for the defence and preservation of the Rights of His Majesty, both Houses, and His good Subjects;

1. As soon as His Majesty is satisfied in His First Proposition, concerning His own Revenue, Magazines, Ships and Forts, in which He desires nothing but that the Just, Known, Legall Rights of His Majesty (devolved to Him from His Progenitors) and of the Persons trusted by Him, which have violently been taken from both, be restored unto Him and unto them, unless any Just and Legal Exceptions against any of the Persons trusted by Him (which are yet unknown to His Majesty) can be made appear to Him:

2. As soon as all the Members of both Houses shall be restored to the same capacity of Sitting and Voting in Parliament as they had upon the first of January 1641. the same of right belonging unto them by their Birth-rights and the free Election of those that sent them, and having been Voted from them for adhering to His Majesty in these Distractions; His Majesty not intending that this should extend

(Mm 4)

tend either to the Bishops, whose Votes have been taken away by Bill, or to such in whose places upon new Writs new Elections have been made:

3. As soon as His Majesty and both Houses may be secured from such tumultuous Assemblies as, to the great breach of the Privileges and the high Dishonour of Parliaments, have formerly assembled about both Houses, and awed the Members of the same, and occasioned two several complaints from the Lords House, and two severall desires of that House to the House of Commons, to joyn in a Declaration against them, the complying with which desire might have prevented all these miserable Distractions which have ensued; which Security His Majesty conceives can be only settled by Adjourning the Parliament to some other place, at the least twenty miles from London, the choice of which His Majesty leaves to both Houses:

His Majesty will most chearfully and readily consent that both Armies be immediately disbanded, and give a present meeting to both His Houses of Parliament at the time and place at and to which the Parliament shall be agreed to be Adjourned.

His Majesty being most confident that the Law will then recover the due credit and estimation, and that upon a free debate in a full and peaceable Convention of Parliament, such provisions will be made against Seditious Preaching and Printing against His Majesty and the established Laws, which hath been one of the chief causes of the present Distractions, and such care will be taken concerning the Legal and known Rights of His Majesty, and the Property and Liberty of His Subjects, that whatsoever hath been published or done in or by colour of any illegall Declaration, Ordinance, or Order of one or both Houses, or any Committee of either of them, and particularly the power to raise Arms without His Majesties Consent, will be in such manner recalled, disclaimed and provided against, that no seed will remain for the like to spring out of for the future, to disturb the Peace of the Kingdom, and to endanger the very Being of it.

And in such a Convention His Majesty is resolved, by His readinesse to consent to whatsoever shall be proposed to Him by Bill for the Reall good of His Subjects, (and particularly for the better discovery and speedier conviction of Recusants, for the Education of the Children of Papists by Protestants in the Protestant Religion, for the prevention of practices of Papists against the State, and the due execution of the Laws, and true levying of the Penalties against them) to make known to all the World, how causeless those Fears and Jealousies have been which have been raised against Him, and by that so distracted this miserable Kingdom.

And if this Offer of His Majesty be not consented to, (in which He asks nothing for which there is not apparent Justice on His side, and in which He deferses many things highly concerning both Himself and People, till a full and peaceable Convention of Parliament, which in Justice He might now require) His Majesty is confident that it will then appear to all the World, not only who is most desirous of Peace, and whose fault it is that both Armies are not now disbanded, but who have been the true and first cause that this Peace was ever interrupted or these Armies raised; and the beginning or continuance of the War, and the Destruction and Desolation of this poor Kingdom (which is too likely to ensue) will not by the most interested, passionate or prejudicate person, be imputed to His Majesty.

His

His MAJESTIES Message to both Houses May 19.
in pursuance of the foregoing Message.

Since His Majesties Message of the twelfth of April (in which He conceived He had made such an Overture for the immediate Disbanding of all Armies and Composure of these present miserable Distractions, by a full and free Convention in Parliament, that a perfect and settled Peace would have ensued) hath in all this time (above a full Moneth) procured no Answer from both Houses, His Majesty might well believe Himself absolved before God and Man, from the least possible Charge of not having used His utmost endeavour for Peace: yet when He considers that the Scene of all this Calamity is in the Bowels of His own Kingdome, that all the Blood which is spilt is of His own Subjects, and that what Victory soever it shall please God to give Him, must be over those who ought not to have lifted up their hands against Him; when He considers that these desperate civill Dissentions may encourage and invite a Forein Enemy to make a Prey of the whole Nation; that Ireland is in present danger to be totally lost; that the heavy Judgements of God, Plague, Pestilence and Famine, will be the inevitable Attendants of this unnaturall Contention; and that in a short time there will be so generall a habit of Uncharitableness and Cruelty contracted throughout the Kingdom, that even Peace it self will not restore His People to their old Temper and Security; His Majesty cannot but again call for an Answer to that His Message, which gives so fair a Rise to end these unnaturall Distractions. And His Majesty doth this with the more earnestness, because He doubts not the condition of His Armies in severall parts, His strength of Horse, Foot and Artillery, His plenty of Ammunition (which some men lately might conceive He wanted) is so well known and understood, that it must be confessed, that nothing but the Tenderneß and Love to His People, and those Christian Impressions which alwayes have and He hopes alwayes shall dwell in His Heart, could move Him once more to hazard a Refusall. And He requires them, as they will answer to God, to Himself and all the World, That they will no longer suffer their fellow-Subjects to welter in each others Blood; that they will remember by whose Authority and to what end they met in that Councell, and send such an Answer to His Majesty as may open a door to let in a firm Peace and Security to the whole Kingdom.

If His Majesty shall again be disappointed of His Intentions herein, the Blood, Rapine and Distraction which must follow in England and Ireland, will be cast upon the Account of those who are deaf to the motion of Peace and Accommodation.

CHARLES R.

Our expresse Pleasure is, That this Declaration of the Lords and Commons of Parliament assembled at Oxford be read by the Parson, Vicar or Curate, in every Church and Chappel within Our Kingdom of England and Dominion of Wales.

May 19. 1643.

The

MDCXLIV.
April 15.

The Petition of the Lords and Commons of Parliament assembled at Oxford, Presented to His MAJESTY the day before the Receß:

And His MAJESTIES Gracious Answer to the same.

To the Kings most Excellent MAJESTY,

The humble Petition of the Lords and Commons of Parliament assembled at Oxford according to Your MAJESTIES Proclamation.

WE most humbly acknowledge Your Princely Goodness in calling us to receive our Advices for preservation of the Religion, Laws and Safety of the Kingdome, and to restore it to its former Peace and Security. How earnestly we have sought a Peace with Your Majesties most gracious Concurrence, doth appear by the printed Declaration of our Proceedings touching a Treaty for Peace, wherein we aimed at a free and full Convention of Parliament, as the most hopeful way to unite these unhappy Divisions. And since that hath been refused, we have applied our Advices for supporting Your Armies, the visible means now left for maintaining our Religion, restoring the Laws, and procuring the Safety of the Kingdom; being assured from Your Majesty, You do and will employ Your Armies to no other end.

And although our selves are most fully satisfied of Your Majesties pious and just Resolutions herein; yet because Fears and Jealousies have been and are maliciously scattered amongst Your Subjects, to poison their Affections, and corrupt their Loyalty to Your Majesty: therefore, to the end we may be enabled by Your gracious Answer to satisfy all the World, or to leave them unexcusable who will not be satisfied, we do in all humility present to Your Majesty these Petitions.

That Your Majesty will give direction for the re-printing Your Protestation made in the head of Your Army, and Your other Declarations, wherein Your constant Resolution is declared, to maintain and defend the true Reformed Protestant Religion, and that the same may be with more diligence published amongst the People; that so Your Princely Christian zeal and affection to that Religion, and to maintain the same against all Popery, Schisme and Profaneness, may be manifested; and which we beseech Your Majesty upon this our Petition to declare again to all the World, to the discountenance and suppression of those Scandals laid upon Your Majesty by those who disturb our Peace.

That when there may be a full and free Convention of Parliament, a
National

National Synod may be lawfully called, to advise of some fit means for the establishing the Government and Peace of our Church; to whom may be recommended a care for the ease of the tender Consciences of Your Protestant Subjects.

Touching our Laws, we cannot ask more of Your Majesty then to declare and continue Your former Resolutions, to hold and keep them inviolable and unalterable, but by Act of Parliament.

And for avoiding the Scandall maliciously infused into many of Your Subjects, that if Your Majesty prevail against this Rebellion, You intend not to use the frequent Counsel of Parliaments; we humbly pray and advise Your Majesty to declare the sincerity of Your Royall Heart therein, to satisfy Your seduced Subjects against such false and malicious Aspersions.

And in respect the present Contributions, Loans, Taxes, and other Impositions for maintenance of Your Armies, have been submitted unto as Exigences of Warre and Necessity, because of this unexampled Rebellion and Invasion; we humbly beseech Your Majesty to Declare, That they shall not be drawn into example, nor continue longer then the present Exigence and Necessity, nor be at any time mentioned as Precedents: and that for the farther security of Your People, Your Majesty will vouchsafe to promise Your Royal Assent to a Law to be made and declared to that purpose in a full and free Convention of Parliament.

And that for the present ease and encouragement of those under Contributions by Contract with Your Majesty, You will be pleased that those Contracts may be so observed, that Your Subjects may not have just cause of complaint against the Commanders, Governors, Officers or Souldiers of Your Army, or of or in any Your Garrisons, Castles or Forts, for taking any Money, Horses or other Cattel, Provisions or other Goods, or any Timber or Woods of any Your Subjects, or Free-Billet, or Free-Quarter, in any place where the Contributions and Taxes agreed on are paid; humbly beseeching Your Majesties gracious Care herein, and that the Offenders may receive exemplary punishment.

Lastly, That Your Majesty will retain Your pious endeavours to procure the Peace of this languishing Kingdom, not to be removed or altered by any advantages or prosperous success.

*His MAJESTIES Gracious Answer to the
said Petition.*

AS We shall alwaies acknowledge the great Comfort and Assistance We have received by your Counsels since your Meeting here according to Our Proclamation; so We must give you very particular Thanks for the Expressions you have made in
this

this Petition of your Confidence in Us, and for the Care you have therein taken, that all Our good Subjects may receive ample satisfaction in those things upon which the good and Welfare of their Condition so much depends.

We have long observed (though not without wonder) the sly, subtle, and groundless Insinuation infused and dispersed amongst Our People by the disturbers of the Publick Peace, of Our favouring and countenancing of Popery: And therefore as in Our constant, visible practice We have, to the utmost of Our Power, (and, We hope, sufficiently) manifested the gross falshood of those Imputations and Scandals, so We have omitted no opportunity of publishing to all the World the clear Intentions and Resolutions of the Soul in that point. We wish from Our heart that the true Reformed Protestant Religion may not receive greater Blemish by the Actions and Practices of these men, then it doth or shall by any Connivence of Ours. We will take the best care We can (and We desire your assistance in it) to publish to all Our good Subjects that Our *Protestation*, and those *Declarations* you mention: And We do assure you, there is not an Expression in either of them, for the maintenance and advancement of Our Religion, with which Our Heart doth not fully concur; and in which We shall be so constant, that if it shall not please God to enable Us by Force to defend it, We shall shew Our Affection and Love to it by dying for it. We may without vanity say, It hath pleased God to enlighten Our Understanding to discern the clear Truth of the *Protestant* Religion, in which We have been born and bred, from the Mists and Clouds of *Popery*, the which (if it hath made any growth or progress of late within the Kingdome, as We hope it hath not) is more beholding to the unchristian Rage and Fury of these men then to any Connivence or Favour of Ours.

For a National Synod, We have often promised it, and when God shall give so much Peace and Quiet to this Kingdome, that regular and lawful Conventions may be esteemed, shall gladly perform that Promise, as the best means to re-establish Our Religion, and make up those Breaches which are made: And We shall then willingly recommend unto them a special care of the ease of tender Consciences of Our Protestant Subjects, as We have often expressed.

For

For the Laws of the Land, We can say no more then We have said in that Protestation you mention, and We thank you for being satisfied with it; in which God knows Our Resolution to be so firm and stedfast, that We will give any Security under Heaven for the observation of it. And as Our greatest desire at this present is to meet in a full and free Convention of Parliament, which We are confident would quickly put an end to all these Troubles: so, when it shall please God to restore that Blessing to Us, We shall value and esteem that Councell, and frequently consult with it, and be advis'd by it, as the best means to make both King and People truly happy; and We shall then by an Act given wipe out the footsteps of these extraordinary Supplies, which nothing but this real visible Necessity which oppresses us all could have compelled Us to make use of, and which shall never be mentioned or remembred by Us to the least Prejudice of your Rights and Liberties. And in the mean time, We shall leave nothing undone for the observation of particular Contracts, and prevention of the disorder and licence of the Soldier, which is in Our Power to doe, no particular person enduring half that sadness of heart for those Breaches and Pressures which We Our Self do: For the prevention and suppression whereof We shall proceed with all Rigour and Severity.

Lastly, As the Support and maintenance of the Religion, Laws and Privileges of Parliament is (as you well know) the onely Argument of Our defensive Arms; so those being secured, We shall with all imaginable Joy lay down those Arms: and as you have been Our Witnesses and Our Assistants in Our earnest desires of Peace, so We promise you, We shall not onely with the same earnestness alwaies embrace it, if it shall be offered, but pursue and press it upon the least likelihood of Opportunity. And this Our Resolution, by God's Blessing, shall never be altered by any Advantages or prosperous Success.

His MAJESTIES Protestation.

I Do promise in the presence of Almighty God, and as I hope for his Blessing and Protection, That I will, to the utmost of My Power, defend and maintain the true Reformed Protestant Religion established in the Church of *England*, and by the grace of God in the same will live and die.

I desire to govern by the known Laws of the Land, and that the Liberty and Property of the Subject may be by them preserved with the same care as My own just Rights: And if it please God by His blessing upon this Army raised for My necessary defence, to preserve Me from this Rebellion, I do solemnly and faithfully promise, in the sight of God, to maintain the just Privileges and Freedom of Parliament, and to govern by the known Laws of the Land, to My utmost Power; and particularly to observe inviolably the Laws consented to by Me this Parliament. In the meanwhile, if this time of Warre, and the great necessity and streights I am now driven to, beget any violation of those, I hope it shall be imputed by God and Man to the Authors of this Warre, and not to Me, Who have so earnestly laboured for the preservation of the Peace of this Kingdome.

When I willingly fail in these particulars, I will expect no Aid or Relief from any man, or Protection from Heaven: But in this Resolution I hope for the chearful Assistance of all good men, and am confident of God's Blessing.

[*The*

[*The Declaration of the most Excellent and Potent Prince,*
CHARLES *King of Great Britain, sent to the Protestant* MDCXLIV.
Churches beyond the Seas.]

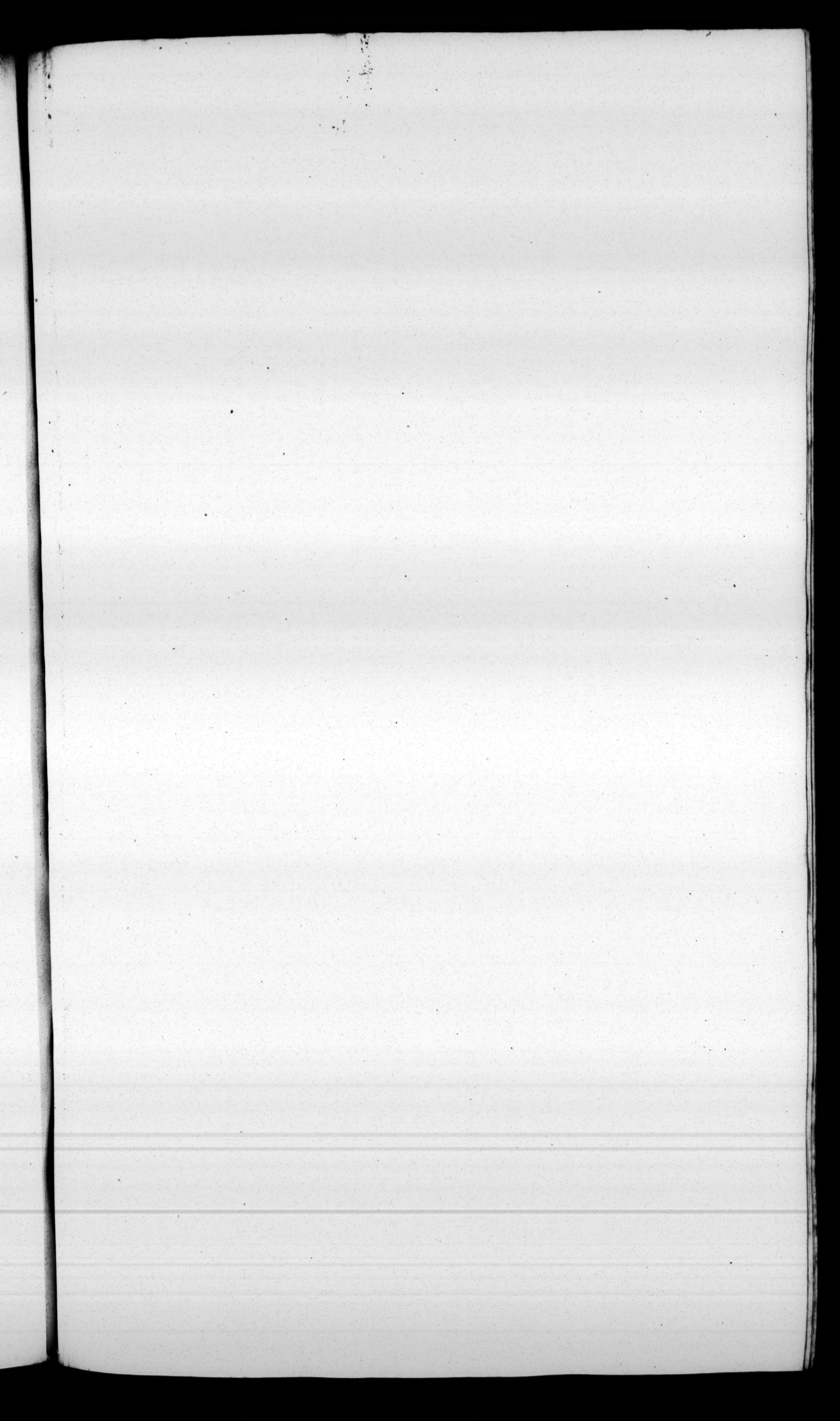
CHARLES by the Providence of Almighty God King of [Published in
Latin, English,
and French.]
England, Scotland, France and Ireland, Defender of the Faith,
 To all those who profess the true Reformed Protestant
 Religion, of what Nation, degree and condition soever they be, to
 whom this present Declaration shall come, Greeting.

Whereas We are given to understand, that many false Rumours and Scandalous Letters are spread up and down amongst the Reformed Churches in foreign parts by the politick, or rather the pernicious, industry of some ill-affected persons, that We have an inclination to recede from that Orthodox Religion which We were born, baptized and bred in, and which We have firmly professed and practised throughout the whole course of Our Life to this moment, and that We intend to give way to the introduction and publick Exercise of Popery again in Our Dominions; which Conjecture, or rather most detestable Calumny, being grounded upon no imaginable foundation, hath raised these horrid Tumults and more than barbarous Wars throughout this flourishing Island, under pretext of a kind of Reformation, which would not only prove incongruous, but incompatible with the Fundamental Laws and Government of this Kingdom: We desire that the whole Christian World should take notice and rest assured, that We never entertained in Our Imagination the least thought to attempt such a thing, or to depart a jot from that holy Religion, which when We received the Crown and Sceptre of this Kingdom, We took a most solemn and Sacramental Oath to profess and protect. Nor doth Our most constant practice and quotidian visible presence in the exercise of this sole Religion, with so many Affeuerations in the head of Our Armies, and the publick Attestation of Our Barons, with the circumspection used in the Education of Our Royal Off-spring, besides divers other undeniable Arguments, only demonstrate this; but also that happy Alliance of Marriage We contracted betwixt Our Eldest Daughter and the Illustrious

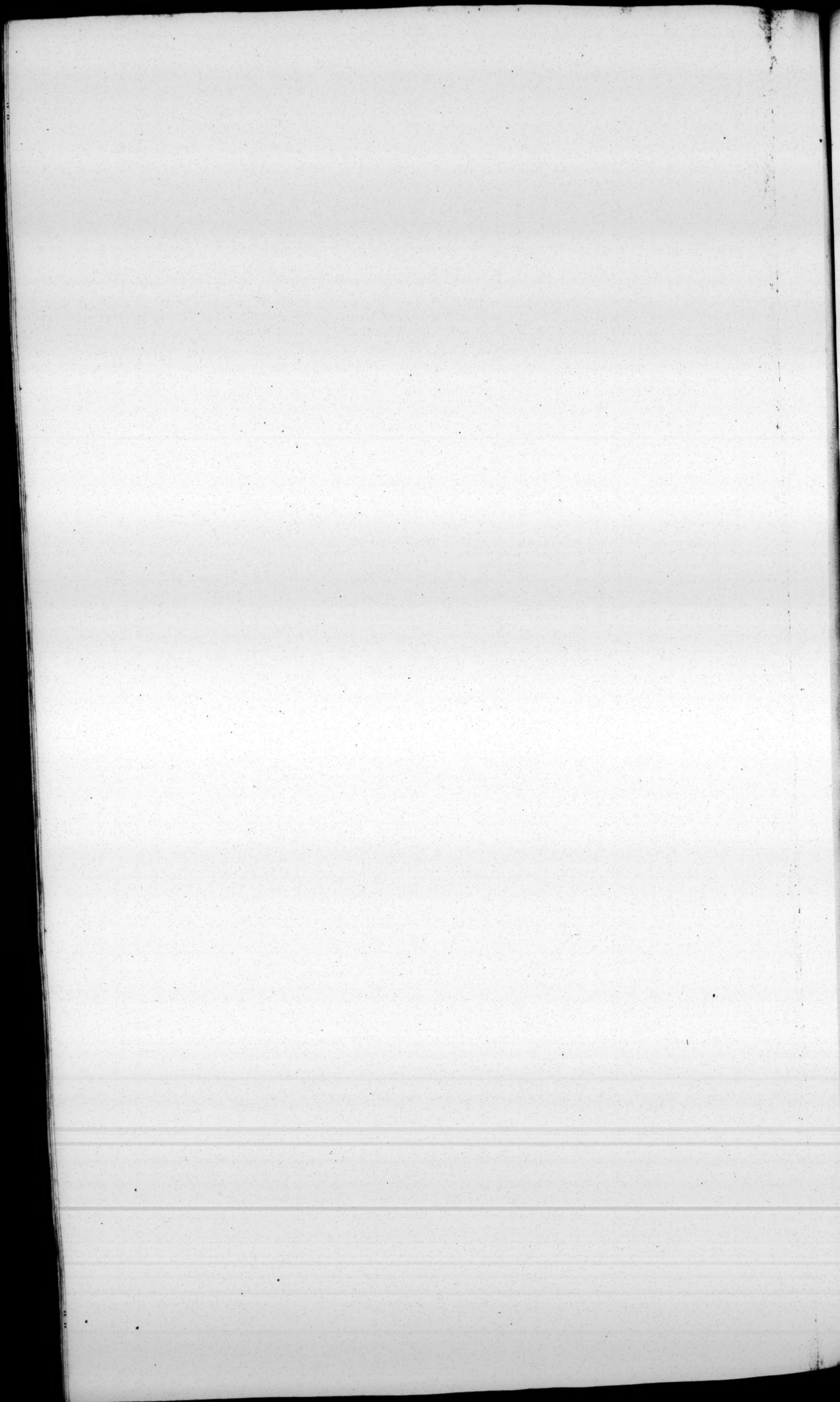
Prince of *Orange*, most clearly confirms the reality of Our Intentions herein: by which Nuptial Engagement it appears further, that Our endeavours are not onely to make a bare Profession thereof in Our Own Dominions, but to inlarge and corroborate it abroad as much as lieth in Our Power. This most holy Religion of the *Anglicane* Church, ordain'd by so many Convocations of Learned Divines, confirm'd by so many Acts of National Parliaments, and strengthened by so many Royal Proclamations, together with the Ecclesiastick Discipline and Liturgie thereunto appertaining, (which Liturgie and Discipline the most eminent of Protestant Authors, as well *Germanes* as *French*, as well *Danes* as *Swedes* and *Switzers*, as well *Belgians* as *Bohemians*, do with many Elogies, and not without a kind of envy, approve and applaud in their publick Writings; particularly in the Transactions of the Synod of *Dort*, wherein, besides other of Our Divines who afterwards were Prelates, one of Our Bishops assisted, to whose Dignity all due respects and precedency was given;) this Religion, We say, which Our Royal Father of blessed Memory doth publickly assert in that His famous Confession addrest (as We also do this Our Protestation) to all Christian Princes, this, this most holy Religion, with the Hierarchy and Liturgie thereof, We solemnly protest that, by the help of Almighty God, We will endeavour, to Our utmost Power and last period of Our Life, to keep entire and inviolable, and will be careful, according to Our duty to Heaven, and the tenor of the foresaid most sacred Oath at Our Coronation, that all Our Ecclesiasticks in their several degrees and incumbences shall preach and practise the same.

Wherefore We enjoin and command all Our Ministers of State beyond the Seas, as well Ambassadors, as Residents, Agents and Messengers, and We desire all the rest of Our loving Subjects that sojourn either for curiosity or commerce in any forein parts, to communicate, uphold, and assert this Our solemn and sincere Protestation, when opportunity of time and place shall be offered.

Given in Our University and City of *Oxford*, the fourteenth day of *May*, 1644.



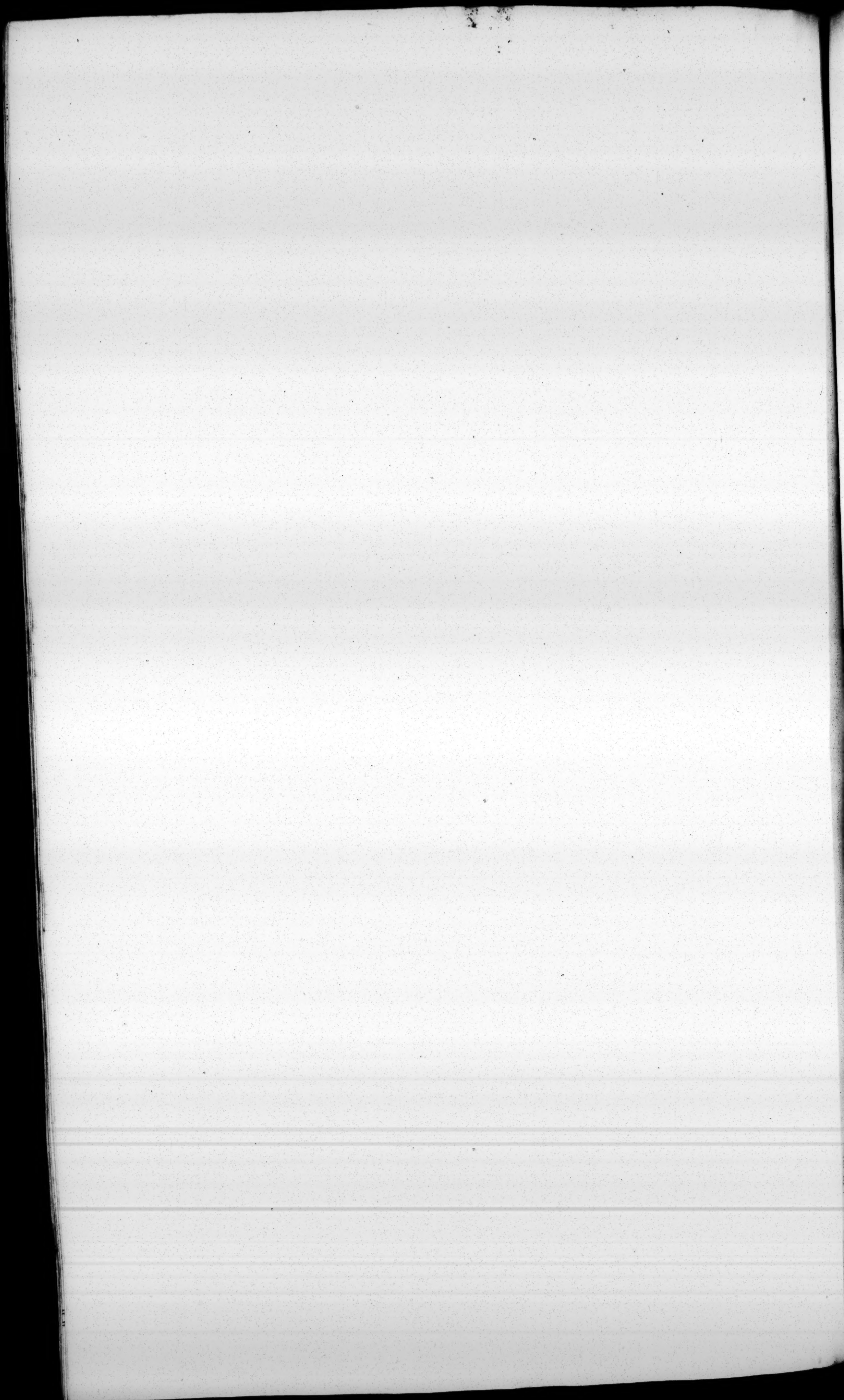




P A P E R S
AND PASSAGES
CONCERNING THE TREATY
OF PEACE
AT UXBRIDGE.

MDCXLIV. XLV.

(N.n 3)



By the KING.

A Proclamation declaring His MAJESTIES Resolution for settling a speedy Peace by a good Accommodation, and an Invitation to all His Loyal Subjects to joyn together for His Assistance therein.

AMongst the many Troubles wherewith (for more then two years last past) We have been involved, nothing hath more afflicted Us then the real sense of Our Subjects Sufferings, occasioned by this most unnatural Warre; and the chief of Our Care hath been (and by God's assistance shall still be) to settle them in a happy Peace, with that freedom of enjoying the exercise of their Religion, Rights and Liberties, according to the Laws of this Kingdom, as they or any of their Ancestors enjoyed the same in the best times of the late Queen *Elizabeth*, or Our Royal Father. And as We have alwaies profest in the sincerity of Our heart, That no Success should ever make Us averse unto Peace; so have We alwaies, when God hath blessed Us with any eminent Victory, solicited the Members of both Houses of Parliament remaining at *Westminster*, by frequent Messages, for a Treaty conducing thereunto: and in particular upon Our late Victory over the Earl of *Essex* his Army in *Cornwal* (which We wholly attribute to the immediate hand of God) We presently dispatcht a Message to them to desire a Treaty for Peace and Accommodation; of which, as likewise of that former Message for Peace which We sent them from *Evesholm* the fourth of *July* last, We have yet received no Answer; and therefore have resolved with Our Army to draw presently towards *London* and Our Southern and Eastern Counties, not looking upon those parts as Enemies to Us, and so to suffer by the approach of our Army or the disorders thereof, (which We will use all possible means to prevent) but as Our poor Subjects oppressed by Power, (of which We rest assured the greater part remain Loyal to Us) and so deserving Our Protection. And We hope that at a nearer distance of place there may be begot so right an understanding between Us and Our People, that at length We may obtain a

(N n 4)

Treaty

Treaty for Peace, and a full, free and peaceable Convention in Parliament, and therein make an end of these unhappy Differences by a good Accommodation. In which We hereby assure all Our People upon Our Roial Word, and the Faith of a Christian, (which is the greatest Security We can give them) that We will insist only upon the settling and continuance of the true Reformed Protestant Religion, Our own undoubted known Rights, the Privileges of Parliament, and Our Subjects Liberty and Property, according to the Laws of the Land, and to have all these settled in a full and free Parliament, whereby the Armies on both sides may be presently disbanded, this Kingdom may be secured from the danger of a Conquest by Forein Forces, all Strangers now in Arms may return to their own Countries, and Our poor Subjects be freed of those grievous burthens which by reason of the late Distractions have (much against Our Will) too much pressed them. And to the end Our Subjects may no longer be misled by false pretences, We do desire all of them, as well in Our own Quarters as where the Rebels have usurped a Power, to take into serious consideration the Duty and Loyalty which by the Law of God and their Oath of Allegiance they owe unto Us, and more particularly that part thereof which concerns the Defence of Our Person, and Assistance of Us against Rebels and such as rise in Arms against Us; which they may find plainly set down in the Statute of the 11. year of King *Henry the Seventh*, *Cap. 1.* And We do hereby require Our Subjects within Our own Quarters through or near which We shall pass, by that Duty they owe to Us and their Country, that they forthwith prepare themselves, with the best Arms they can get, to be ready, and joyn, and goe along with Us in this present Expedition, (We resolving to take special care to place them under the Command of Gentlemen of Quality of their own Countries, to their good content and satisfaction.) And We likewise require and authorize all Our good Subjects, as well the Trained Bands as others, of Our City of *London* and Our Southern and Eastern Counties, to chuse their own Commanders and Leaders amongst those Gentlemen and Citizens that are of approved Loyalty to Us, and lovers of the Peace of their Country, and upon Our approach towards those parts to put themselves into Arms, and

and march in warlike manner to assist Us in this good Work, and free themselves from the Tyranny of their fellow-Subjects under which they groan; commanding and authorizing them to seize such places of Strength in those Southern and Eastern Counties as the Rebels have possessed themselves of, to oppose with force of Arms such persons as shall resist them in obeying these Our Commands, and to apprehend and secure the persons of all such as shall endeavour to continue this Rebellion, and to hinder the settling of the Peace of this Kingdom in a full and free Convention of Parliament, (the only visible means left, by the blessing of God, to redeem this Nation from utter Ruine;) wherein We will afford Our utmost Protection and Safety unto all Our Subjects that shall give Obedience to these Our Commands. And as We doubt not but that all Our good Subjects will come cheerfully to Our assistance for so good an end (beyond which We do not require it;) so We trust that God, who hath hitherto wonderfully preserved Us, will crown this Action with happy Success, for his Glory, and the welfare of this poor Nation.

Given at Our Court at *Chard*, the thirtieth day of *September*, 1644.

G O D S A V E T H E K I N G.

By the KING.

A Proclamation for a Solemn Fast on Wednesday the Fifth of February next, upon occasion of the present Treaty for Peace.

WHereas Almighty God in his Justice, to punish the Common and Crying Sinnes of the Land, hath sent a Civil Sword throughout all Our Dominions, which hath miserably wasted, and threatens a speedy and utter Desolation to the same; and now in the height of these Calamities, a Treaty is assented to, to begin at *Uxbridge* on *Thursday* the Thirtieth day of
this

this instant *January*, touching the composing and ending of those unhappy Differences & Distractions, about which so much blood hath been already spilt, which Treaty may, by the blessing of God (who is the disposer of all mens hearts and of all events) be a means to produce a Peace : and whereas it is the duty, and hath been the practice, of Christians under Affliction, to set apart some time for publick and solemn Humiliation and Prayer, for removing of God's Judgments, and particularly for a Blessing and good success to the means conducing to their Deliverance : We do therefore by this Our Proclamation appoint and streightly charge and command, that on Wednesday being the 5. of *February* next ensuing, a solemn Fast be kept in all places within Our Dominions whither the notice of this Our Proclamation shall or may come before that time, that both Prince & People may then joyn together in a true Humiliation, and Devout and earnest Prayers to God, that He would be pleased so to bless and prosper this intended Treaty, that it may produce a happy Peace in all Our Dominions, such as may be for his Honour, and the good of His Church, and of Us and all Our Subjects. And We do hereby charge and require all Our Subjects, of what degree or condition soever they be, which shall have notice of this Our Proclamation, That they do religiously prepare and apply themselves to a due observation of the same, by Fasting, Humiliation, and Prayer on that day, and in hearing of God's Word, as they will answer to God their neglect of this Christian Duty, and as they will answer to Us their neglect of this Our just and necessary Command. And for the better and more orderly observation of this Fast, We do hereby appoint, that the Form of Prayer and Service of God set forth in the Book heretofore published for the Monthly Fast, with such Alterations and Additions as shall be prepared and fitted for this present purpose, and published in Print before the said day, shall be used in all Churches and Chappels where this Fast shall be kept.

Given at Our Court at *Oxford*, this 27. day of *January*, in the Twentieth year of Our Reign, 1644.

G O D S A V E T H E K I N G.

*A Full Relation of the Passages concerning the late Treaty for
a Peace, begun at Uxbridge, Jan. 30. 1644.*

Printed by His MAJESTIES Command.

A Table or Index shewing briefly the Method and Order of this Narrative, and directing to the places where each Subject Matter therein contained is to be found.

1. **A**RE set down the Messages and Propositions sent by His Majesty, and brought to Him, which preceded the Treaty, and were inducements to it, beginning Page 420. and ending page 431.
2. The Passages in the beginning of the Treaty preparatory thereunto: wherein,
 1. Of the several Commissions and Passages thereupon, beginning pag. 431. ending pag. 437.
 2. The Papers concerning the Manner and Order of the Treaty, pag. 437. ending pag. 438.
 3. The Papers concerning a Scandalous Sermon Preached at Uxbridge against the Treaty the first day of the Treaty, and before it began, pag. 438. ending pag. 439.
3. The Papers concerning Religion, during the whole Treaty, collected together, pag. 439. ending pag. 457.
4. The Papers concerning the Militia, during the whole Treaty, collected together, pag. 457. ending pag. 479.
5. The Papers concerning Ireland, during the whole Treaty, collected together, pag. 479. ending pag. 508.
6. The Papers concerning His Majesties Propositions, and particularly for a Cessation of Arms, and touching His Majesties Return to Westminster after disbanding of Armies, and further time for continuing or renewing the Treaty, are collected together, pag. 508. ending pag. 518.
7. And lastly, an Appendix is added, wherein are contained such things as are mentioned in the Narrative, or were delivered in writing during the Treaty, and were not Printed before, or being heretofore Printed, are now out of Print, or not easily to be had: the particulars whereof are as followeth.
 1. His Majesties Message from Evesham of the 4. of July, 1644. pag. 519.
 2. His Majesties Message from Tavestock of the 8. of Septemb. 1644. pag. 520.
 3. The Bill for Abolishing of Episcopacy, &c. pag. 521.
 4. The Articles of the late Treaty of the date Edinburgh the 29. of Novemb. 1643. pag. 526.
 5. The Ordinance for calling the Assembly of Divines, pag. 528.
 6. The Votes and Orders delivered with it, pag. 531.
 7. The Articles of the 6. of August, 1642. concerning Ireland, pag. 532.
 8. The Ordinances of the 9. of March and the 11. of April, touching the Forces in Ireland, pag. 535.
 9. 10. The Letters and Advices from the Lords Justices and Council of Ireland, pag. 536.

Hereunto is added His Majesties Answers to certain Papers delivered upon the close of the Treaty, one concerning the Militia, and two concerning Ireland, beginning pag. 541.

His

HIS Majesty having received an Account from His Commissioners of their proceedings in the late Treaty at Uxbridge, to the end that all His People may be fully satisfied of His earnest and constant endeavours to procure the publick Peace, whereby to put an end to these present Miseries, hath commanded this full and plain Narrative of all the Passages concerning that Treaty to be made and published.

See these Messages in the Appendix, n. 1. & 2.

After His Majesties Message from Evelham of the 4. of July last, desiring and propounding a Treaty for Peace, and His second Message from Tavestock of the 8. of September last, renewing that desire; at length, on the 23. day of November last past, the Earl of Denbigh and others repaired to His Majesty at Oxford with Propositions, in these words following.

- I. **W**E Your Majesties Loyal Subjects assembled in the Parliaments of both Your Kingdoms, from the sense of that Duty we owe unto Your Majesty, and of the deep Sufferings and many Miseries under which Your People of all Your Kingdoms lye bleeding in this unnatural Warre, after long and serious consultation about the best wayes and means of their Preservation, and for settling Your Majesties Throne, and Your Subjects in Peace and Security, have with common consent resolved upon these Propositions, which we do humbly tender unto Your Majesty.

The humble Desires and Propositions for a safe and well-grounded Peace, agreed upon by the mutuall Advice and Consent of the Parliaments of both Kingdoms, united by solemn League and Covenant, to be presented to His Majesty.

I. That by Act of Parliament in each Kingdom respectively, all Oaths, Declarations and Proclamations against both or either of the Houses of the Parliament of England, and the late Convention of Estates in Scotland, or Committees flowing from the Parliament, or Convention in Scotland, or their Ordinances and Proceedings, or against any for adhering unto them, and all Indictments, Outlawries and Attainders against any for the said Causes, be declared Null, suppressed and forbidden; and that this be publickly intimated in all Parish-Churches within His Majesties Dominions, and all other places needful.

II. That His Majesty, according to the laudable example of His Royal Father of happy memory, may be pleased to swear and signe the late solemn League and Covenant; and that an Act of Parliament be passed in both Kingdoms respectively, for enjoying the taking thereof by all the Subjects of the three Kingdoms, and the Ordinances concerning the manner of taking the same in both Kingdoms be confirmed by Acts of Parliaments respectively, with such Penalties as by mutual Advice of both Kingdoms shall be agreed upon.

III. That the Bill be passed for the utter abolishing and taking away of all Archbishops, Bishops, their Chancellours and Commissaries, Deans and Sub-deans, Deans and Chapters, Arch-deacons, Canons and Prebendaries, and all Chaunters, Chancellours, Treasurers, Sub-treasurers, Succentors and Sacrists, and all Vicars Choral and Choristers, old Vicars and new Vicars, of any Cathedral or Collegiate

giate Church, and all other their under-Officers, out of the Church of *England* and Dominion of *Wales*, and out of the Church of *Ireland*, with such Alterations concerning the Estates of Prelates as shall agree with the Articles of the late Treaty, of the Date at *Edenborough* 29. of *Novemb.* 1643. and joynt Declaration of both Kingdoms. [In the Appendix.]

IV. That the Ordinance concerning the Calling and sitting of the Assembly of Divines be confirmed by Act of Parliament.

V. That Reformation of Religion according to the Covenant be settled by Act of Parliament, in such manner as both Houses shall agree upon after consultation had with the Assembly of Divines. And for as much as both Kingdoms are mutually obliged by the same Covenant to endeavour the nearest Conjunction and Uniformity in matters of Religion, that such Unity and Uniformity in Religion according to the Covenant as, after Consultation had with the Divines of both Kingdoms now assembled, shall be joyntly agreed upon by both Houses of the Parliament of *England*, and by the Church and Kingdom of *Scotland*, be confirmed by Acts of Parliament of both Kingdoms respectively.

VI. That for the more effectual disabling Jesuits, Priests, Papists and Popish Recusants from disturbing the State and deluding the Laws, and for the better discovering and speedy conviction of Recusants, an Oath be established by Act of Parliament to be administred to them, wherein they shall abjure and renounce the Popes Supremacy, the Doctrine of Transubstantiation, Purgatory, worshipping of the consecrated Hoast, Crucifixes and Images, and all other Popish Superstitions and Errors; and refusing the said Oath being tendred in such manner as shall be appointed by the said Act, to be sufficient conviction in Law of Recusancie.

VII. An Act of Parliament for Education of the Children of Papists by Protestants in the Protestant Religion.

VIII. An Act for the true levying of the Penalties against them, which Penalties to be levied and disposed in such manner as both Houses shall agree on, wherein to be provided that His Majesty shall have no loss.

IX. That an Act be passed in Parliament, whereby the practices of Papists against the State may be prevented, and the Laws against them duely executed, and a stricter course taken to prevent the saying or hearing of Mass in the Court, or any other part of this Kingdom.

X. The like for the Kingdom of *Scotland*, concerning the four last preceding Propositions, in such manner as the Estates of Parliament there shall think fit.

XI. That the King do give His Royal Assent

To an Act for the due Observation of the Lords day;

And to the Bill for the suppression of Innovations in Churches and Chappels in and about the Worship of God; and for the better advancement of the Preaching of God's holy Word in all parts of this Kingdom;

And to the Bill against the enjoying of Pluralities of Benefices by Spiritual Persons, and non-Residencie;

And to an Act to be framed and agreed upon by both Houses of Parliament, for the reforming and regulating of both Universities, of the Colleges of *Westminster*, *Winchester*, and *Eaton*;

And to an Act in like manner to be agreed upon for the suppression of Interludes and Stage-playes; this Act to be perpetual;

And to an Act for the taking the Accompts of the Kingdom;

And to an Act to be made for relief of sick and maimed Souldiers, and of poor Widows and Children of Souldiers;

And to such Act or Acts for raising of Moneys for the payment and satisfying of the publick Debts and Damages of the Kingdom, and other publick uses, as shall hereafter be agreed on by both Houses of Parliament;

And to an Act or Acts of Parliament for taking away the Court of Wards and Liveries, and all Wardships, Liveries, Primer seifins, and Ouster le maines,

and all other charges incident or arising for or by reason of Wardship, Livery, Primer seisin, or Ouster le main ;

And for the taking away of all Tenures by Homage, and all Fines, Licences, Seizures, and Pardons for Alienation, and all other charges incident thereunto, and for turning of all Tenures by Knights service, either of His Majesty or others, or by Knights service or soccage *in Capite* of His Majesty, into free and common Soccage; and that His Majesty will please to accept in recompence hereof one hundred thousand pounds *per annum* :

And give assurance of His consenting in the Parliament of *Scotland* to an Act ratifying the Acts of Convention of the Estates of *Scotland* called by the Council and Conservatory of Peace, and the Commissioners for the common Burthens, and assembled the 22 day of *June* 1643. and several times continued since, in such manner, and with such additions and other Acts, as the Estates convened in this present Parliament shall think convenient.

[In the Appen-
dix.]

XII. That an Act be passed in the Parliament of both Kingdoms respectively for confirmation of the Treaties passed betwixt the two Kingdoms, (*viz.*) the large Treaties, the late Treaty for the coming of the *Scots* Army into *England*, and the settling of the Garrison of *Berwick* of the 29. of *November* 1643. and the Treaty concerning *Ireland* of the 6. of *August* 1642. with all other Ordinances and Proceedings passed betwixt the two Kingdoms in pursuance of the said Treaties.

XIII. That an Act of Parliament be passed to make void the Cessation of *Ireland*, and all Treaties with the Rebels without consent of both Houses of Parliament, and to settle the prosecution of the Warre of *Ireland* in both Houses of Parliament, to be managed by the joynt advice of both Kingdoms; and the King to assist, and to doe no Act to discountenance or molest them therein.

XIV. That an Act be passed in the Parliament of both Kingdoms respectively, for establishing the joynt Declaration of both Kingdoms, bearing date the 30. of *January* 1643. in *England*, and 1644. in *Scotland*, with the Qualifications ensuing.

I. That the Persons who shall expect no Pardon be only these following, RUPERT and MAURICE, Count Palatines of the *Rhene*, James Earl of *Derby*, John Earl of *Bristol*, William Earl of *Newcastle*, Francis Lord *Cottington*, John Lord *Pawlet*, George Lord *Digby*, Edward Lord *Littleton*, William Laud Arch-bishop of *Canterbury*, Matthew Wren Bishop of *Ely*, Sir Robert Heath Knight, Doctor *Bramhall* Bishop of *Derry*, Sir John Biron Knight, William Widdrington, Colonel George Goring, Henry Fermin Esquire, Sir Ralph Hopton, Sir Francis Doddington, M. Endymion Porter, Sir George Ratcliffe, Sir Marmaduke Langdale, Sir John Hotham, Captain John Hotham his Son, Sir Henry Vaughan, Sir Francis Windebanke, Sir Richard Greenville, Master Edward Hyde, Sir John Marley, Sir Nicholas Cole, Sir Thomas Riddel Junior, Colonel Ware, Sir John Strangwaies, Sir John Culpeper, Sir Richard Floyd, John Bodvile Esquire, Master David Jenkins, Sir George Strode, Sir Alexander Carew, Marquis of *Huntley*, Earl of *Montross*, Earl of *Niddisdale*, Earl of *Traquaire*, Earl of *Carnewath*, Viscount of *Aubayne*, Lord *Ogilby*, Lord *Rae*, Lord *Harris*, Lodwick *Lindsey* sometime Earl of *Cramford*, Patrick *Ruthen* sometime Earl of *Forth*, James King sometime Lord *Ethyn*, Irving younger of *Drumim*, Gordon younger of *Gight*, Lesley of *Auchintoule*, Sir Robert Spotswood of *Dumpace*, Colonel John Cockram, Master John Maxwell sometime pretended Bishop of *Ross*, Master Walter Balcanquall, and all such others as being processed by the Estates for Treason, shall be condemned before the Act of Oblivion be passed.

2. All Papists and Popish Recusants who have been, now are, or shall be actually in Arms, or voluntarily assisting against the Parliaments or Estates of either Kingdom.

3. All persons who have had any hand in the plotting, designing or assisting the Rebellion in *Ireland*.

4. That Humphry Bennet Esquire, Sir Edward Ford, Sir John Penruddock, Sir

Sir George Vaughan, Sir John Weld, Sir Robert Lee, Sir John Pate, John Ackland, Edmund Windham, Esquires, Sir John Fitz-herbert, Sir Edward Laurence, Sir Ralph Dutton, Henry Lingen Esquire, Sir William Russel of Worcestershire, Thomas Lee of Adlington Esquire, Sir John Girlington, Sir Paul Neale, Sir William Thorold, Sir Edward Hussey, Sir Thomas Lyddel Senior, Sir Philip Musgrave, Sir John Digby of Nottingham, Sir Hen. Fletcher, Sir Richard Minshall, Laurence Halsted, John Denham, Esquires, Sir Edmund Fortescue, Peter S^r Hill Esquire, Sir Tho. Tildesley, Sir Hen. Griffith, Michael Wharton Esquire, Sir Hen. Spiller, Sir George Benion, Sir Edward Nicholas, Sir Edward Walgrove, Sir Edward Bishop, Sir Robert Owley, Sir John Maney, Lord Cholmely, Sir Thomas Aston, Sir Lewis Dives, Sir Peter Osborne, Samuel Thornteton Esquire, Sir John Lucas, John Blomey Esquire, Sir Thomas Chedle, Sir Nicholas Kemish, and Hugh Lloyd Esquire, and all such of the Scottish Nation as have concurred in the Votes at Oxford against the Kingdom of Scotland and their Proceedings, or have sworn or subscribed the Declaration against the Convention and Covenant; and all such as have assisted the Rebellion in the North, or the Invasion in the South of the said Kingdom of Scotland, or the late Invasion made there by the Irish and their Adherents; and that the Members of either House of Parliament who have not only deserted the Parliament, but have also Voted both Kingdoms Traitors, may be removed from His Majesties Councils, and be restrained from coming within the verge of the Court, and that they may not without the advice and consent of both Kingdoms bear any Office, or have any employment concerning the State or Commonwealth: And also that the Members of either House of Parliament who have deserted the Parliament, and adhered to the Enemies thereof, and not rendered themselves before the last of October 1644. may be removed from His Majesties Councils, and be restrained from coming within the verge of the Court, and that they may not, without the advice and consent of both Houses of Parliament, bear any Office, or have any employment concerning the State or Commonwealth: And in case any of them shall offend therein, to be guilty of high Treason, and incapable of any Pardon by His Majesty, and their Estates to be disposed as both Houses of Parliament in England, or the Estates of the Parliament in Scotland respectively, shall think fit.

5. That by Act of Parliament all Judges and Officers towards the Law, Common or Civil, who have deserted the Parliament, and adhered to the Enemies thereof, be made incapable of any place of Judicature or Office towards the Law, Common or Civil; and that all Serjeants, Councillors and Attorneys, Doctors, Advocates and Proctors of the Law, Common or Civil, who have deserted the Parliament, and adhered to the Enemies thereof, be made incapable of any practice in the Law, Common or Civil, either in publick or in private: And that they, and likewise all Bishops, Clergy-men, and other Ecclesiastical persons, who have deserted the Parliament, and adhered to the Enemies thereof, shall not be capable of any preferment or employment either in Church or Commonwealth, without the advice and consent of both Houses of Parliament.

6. The persons of all others to be free of all personal censure, notwithstanding any Act or thing done in or concerning this War, they taking the Covenant.

7. The Estates of those persons excepted in the first three preceding qualifications, to pay publick Debts and Damages.

8. A third part in full value of the Estates of the persons made incapable of any employment, as aforesaid, to be employed for the payment of the publick Debts and Damages, according to the Declaration.

9. And likewise a tenth part of the Estates of all other Delinquents within the joynt Declarations. And in case the Estates and proportions aforementioned shall not suffice for the payment of the publick engagements, whereunto they are onely to be employed, that then a new proportion may be appointed by the joynt advice of both Kingdoms, providing it exceed not the one moiety of the Estates of

the persons made incapable, as aforesaid, and that it exceed not a sixth part of the Estate of the other Delinquents.

10. That the Persons and Estates of all common Souldiers and others of the Kingdom of *England*, who in Lands or Goods be not worth 200^l. sterling, and the Persons and Estates of all common Souldiers and others of the Kingdom of *Scotland*, who in Lands or Goods be not worth 100^l. sterling, be at liberty and discharged.

11. That an Act be passed whereby the Debts of the Kingdom, and the Persons of Delinquents, and the value of their Estates may be known; and which Act shall appoint in what manner the Confiscations and proportions before mentioned may be levied, and applied to the discharge of the said engagements.

XV. That by Act of Parliament the Subjects of the Kingdom of *England* may be appointed to be Armed, Trained and Disciplined in such manner as both Houses shall think fit: the like for the Kingdom of *Scotland*, in such manner as the Estates of Parliament there shall think fit.

XVI. That an Act of Parliament be passed for the settling of the Admiralty and Forces at Sea, and for the raising of such Moneys for maintenance of the said Forces and of the Navy as both Houses of Parliament shall think fit: the like for the Kingdom of *Scotland*, in such manner as the Estates of Parliament there shall think fit.

XVII. An Act for the settling of all Forces both by Sea and Land in Commissioners to be nominated by both Houses of Parliament, of persons of known Integrity, and such as both Kingdoms may confide in, for their faithfulness to Religion and the Peace of the Kingdoms, of the House of Peers, and of the House of Commons, who shall be removed or altered from time to time as both Houses shall think fit; and when any shall dy, others to be nominated in their places by the said Houses. Which Commissioners shall have power,

1. To suppress any Forces raised without Authority of both Houses of Parliament, or in the Intervals of Parliaments without consent of the said Commissioners, to the disturbance of the publick Peace of the Kingdoms, and to suppress any Foreign Forces that shall invade this Kingdom: and that it shall be high Treason in any who shall levy any Force without such Authority or consent, to the disturbance of the publick Peace of the Kingdoms, any Commission under the great Seal or Warrant to the contrary notwithstanding, and they to be incapable of any Pardon from His Majesty, and their Estates to be disposed of as both Houses of Parliament shall think fit.

2. To preserve the Peace now to be settled, and to prevent all disturbance of the publick Peace that may rise by occasion of the late Troubles: so for the Kingdom of *Scotland*.

3. To have power to send part of themselves, so as they exceed not a third part, or be not under the number of to reside in the Kingdom of *Scotland*, to assist and Vote as single persons with the Commissioners of *Scotland*, in those matters wherein the Kingdom of *Scotland* is onely concerned: so for the Kingdom of *Scotland*.

4. That the Commissioners of both Kingdoms may meet as a joynt Committee, as they shall see cause, or send part of themselves, as aforesaid, to doe as followeth.

1. To preserve the Peace betwixt the Kingdoms, and the King, and every one of them.

2. To prevent the violation of the Articles of Peace, as aforesaid, or any troubles arising in the Kingdoms by breach of the said Articles, and to hear and determine all differences that may occasion the same, according to the Treaty, and to doe further accordingly as they shall respectively receive Instructions from both Houses of Parliament in *England*, or the Estates of the Parliament in *Scotland*, and in the Intervals of Parliaments from the Commissioners for the preservation of the publick Peace.

3. To

3. To raise and joyn the Forces of both Kingdoms to resist all Foreign Invasion, and to suppress any Forces raised within any of the Kingdoms, to the disturbance of the publick Peace of the Kingdoms, by any authority under the great Seal or other Warrant whatsoever, without consent of both Houses of Parliament in *England* and the Estates of the Parliament in *Scotland*, or the said Commissioners of that Kingdom whereof they are Subjects; and that in those cases of joint concernment to both Kingdoms, the Commissioners to be directed to be there all, or such part as aforesaid, to act and direct as joint Commissioners of both Kingdoms.

4. To order the Warre of *Ireland* according to the Ordinance of the 11. of *April*, and to order the *Militia*, and conserve the peace of the Kingdom of *Ireland*.

XVIII. That His Majesty give His assent to what the two Kingdoms shall agree upon in prosecution of the Articles of the large Treaty, which are not yet finished.

XIX. That by Act of Parliament all Peers made since the day that *Edward Lord Littleton*, then Lord Keeper of the great Seal, deserted the Parliament, and that the said great Seal was surreptitiously conveyed away from the Parliament, being the 21. day of *May* 1642. and who shall be hereafter made, shall not sit or Vote in the Parliament of *England*, without consent of both Houses of Parliament; and that all Honour and Title conferred on any, without consent of both Houses of Parliament, since the 20. day of *May* 1642. being the day that both Houses declared, That the King, seduced by evil Counsel, intended to raise Warre against the Parliament, be declared null and void. The like for the Kingdom of *Scotland*, those being excepted whose Patents were passed the great Seal before the 4 of *June* 1644.

XX. That by Act of Parliament the Deputy or chief Governour, or other Governours of *Ireland*, be nominated by both Houses of Parliament, or in the Intervals of Parliament by the Commissioners, to continue during the pleasure of the said Houses, or in the Intervals of Parliament during the pleasure of the aforementioned Commissioners, to be approved or disallowed by both Houses at their next sitting: And that the Chancellor or Lord Keeper, Lord Treasurer, Commissioners of the great Seal or Treasury, Lord Warden of the Cinque-Ports, Chancellors of the Exchequer and Dutchy, Secretaries of State, Judges of both Benches and of the Exchequer of the Kingdoms of *England* and *Ireland*, be nominated by both Houses of Parliament, to continue *quoad se bene gesserint*, and in the Intervals of Parliament by the aforementioned Commissioners, to be approved or disallowed by both Houses at their next sitting. The like for the Kingdom of *Scotland*, adding the Justice General, and in such manner as the Estates in Parliament there shall think fit.

XXI. That by Act of Parliament the Education of Your Majesties Children, and the Children of Your Heirs and Successors, be in the true Protestant Religion, and that their Tutors and Governors be of known Integrity, and be chosen by the Parliaments of both Kingdoms, or in the Intervals of Parliaments by the aforesaid Commissioners, to be approved or disallowed by both Parliaments at their next sitting: and that if they be Male, they be married to such onely as are of the true Protestant Religion; if they be Female, they may not be married but with the advice and consent of both Parliaments, or in the Intervals of Parliament by their Commissioners.

XXII. That Your Majesty will give Your Royal Assent to such wayes and means as the Parliaments of both Kingdoms shall think fitting for the uniting of the Protestant Princes, and for the entire Restitution and Re-establishment of *Charles Lodwick* Prince Elector Palatine, His Heirs and Successors, to His Electoral Dignity, Rights and Dominions: Provided that this extend not to Prince *Rupert* or Prince *Maurice*, or the Children of either of them, who have been the Instruments of so much bloodshed and mischief against both Kingdoms.

XXIII. That by Act of Parliament the concluding of Peace or Warre with Foreign Princes and States be with advice and consent of both Parliaments, or in the Intervals of Parliaments by their Commissioners.

XXIV. That an Act of Oblivion be passed in the Parliaments of both Kingdoms respectively, relative to the Qualifications in the Propositions aforesaid, concerning the joint Declaration of both Kingdoms, with the exception of all Murderers, Thieves, and other Offenders not having relation to the Warre.

XXV. That the Members of both Houses of Parliament, or others, who have during this Parliament been put out of any Place or Office, Pension or Benefit, for adhering to the Parliament, may either be restored thereunto, or otherwise have Remittance for the same, upon the humble desire of both Houses of Parliament. The like for the Kingdom of *Scotland*.

XXVI. That the Armies may be Disbanded at such time and in such manner as shall be agreed upon by the Parliaments of both Kingdoms, or such as shall be authorised by them to that effect.

XXVII. That an Act be passed for the granting and confirming of the Charters, Customs, Liberties and Franchises of the City of *London*, notwithstanding any Non-user, Mis-user, or Abuser.

That the *Militia* of the City of *London* may be in the ordering and government of the Lord Maior, Aldermen and Commons in Common-Council assembled, or such as they shall from time to time appoint, whereof the Lord Maior and Sheriffs for the time being to be three: And that the *Militia* of the Parishes without *London*, and the Liberties within the weekly Bills of Mortality, may be under Command of the Lord Maior, Aldermen and Commons in Common-Council of the said City, to be ordered in such manner as shall be agreed on and appointed by both Houses of Parliament.

That the Tower of *London* may be in the Government of the City of *London*, and the chief Officer and Governour thereof from time to time be nominated and removable by the Common-Council.

That the Citizens or Forces of *London* shall not be drawn out of the City into any other parts of the Kingdom without their own consent, and that the drawing of their Forces into other parts of the Kingdom in these distracted times may not be drawn into example for the future.

And for prevention of Inconveniencies which may happen by the long intermission of Common-Councils, it is desired that there be an Act, that all By-Laws and Ordinances already made or hereafter to be made by the Lord Maior, Aldermen and Commons in Common-Council assembled, touching the calling, continuing, directing and regulating of the same, shall be as effectual in Law to all intents and purposes, as if the same were particularly enacted by the Authority of Parliament; and that the Lord Maior, Aldermen and Commons in Common-Council may adde to, or repeal, the said Ordinances from time to time, as they shall see cause.

That such other Propositions as shall be made for the City for their farther Safety, Welfare and Government, and shall be approved of by both Houses of Parliament, may be granted and confirmed by Act of Parliament.

Upon Consideration of which Propositions His Majesty sent the Duke of Richmond and the Earl of Southampton with this Message of the 13. of December.

II. **H**is Majesty hath seriously considered your Propositions, and finds it very difficult, in respect they import so great an Alteration in Government both in Church and State, to return a particular and positive Answer before a full debate, wherein those Propositions, and all the necessary Explanations and Reasons for assen-

assenting, dissenting, or qualifying, and all inconveniences and mischiefs which may ensue, and cannot otherwise be so well foreseen, may be discussed and weighed. His Majesty therefore proposeth and desireth, as the best Expedient for Peace, That you will appoint such a number of Persons as you shall think fit, to Treat with the like number of Persons to be appointed by His Majesty upon the said Propositions, and such other things as shall be proposed by His Majesty, for the preservation and defence of the Protestant Religion (with due regard to the ease of tender Consciences, as His Majesty hath often offered) the Rights of the Crown, the Liberty and Property of the Subject, and the Privileges of Parliament; and upon the whole matter to conclude a happy and blessed Peace.

Unto which Message this Answer of the 27. of December was returned to His Majesty.

May it please Your most Excellent Majesty,
WE Your Majesties humble and Loyal Subjects of both Kingdoms have considered of Your Majesties Message of the 13. of December 1644. sent by the Duke of Richmond and the Earl of Southampton, directed to the Lords and Commons assembled in the Parliament of England at Westminster, and to the Commissioners of the Parliament of Scotland now at London, and do in all humbleness return this Answer:

III.

That we do consent there be a Treaty for a safe and well-grounded Peace; but finde that it will require some time to resolve concerning the Instructions and manner of that Treaty; and therefore, that Your Majesty might not be held in suspense touching our readiness to make use of any opportunity for attaining such a blessed and happy Peace in all Your Majesties Dominions, we would not stay Your Majesties Messengers till we did resolve upon all those particulars, which we will take into our serious consideration, and present our humble desires to Your Majesty with all convenient speed.

Westminster the 20.
of Decemb. 1644.

Gray of Wark, Speaker of the
House of Peers *pro tempore*,

Signed in the name and by warrant of the Commissioners of the Parliament of Scotland,
Lowdon.

William Lenthall, Speaker
of the Commons House
assembled in Parliament.

And afterwards, upon the 18. of January following, Sir Peter Killegrew brought this farther Answer to His Majesty.

May it please Your most Excellent Majesty,
WE Your Majesties humble and Loyal Subjects, the Lords and Commons assembled in the Parliament of England at Westminster, and the Commissioners of the Parliament of Scotland, do make our further Answer to Your Majesties Message of the 13. of December last 1644. concerning a Treaty for Peace, as followeth.

IV.

We do consent that there be a Treaty for a safe and well-grounded Peace between Your Majesty and Your humble and Loyal Subjects assembled in the Parliaments of both Kingdoms; and for the present have appointed *Algernon* Earle of *Northumberland*, *Philip* Earle of *Pembroke* and *Montgomery*, *William* Earle of *Salisbury*, *Basil* Earle of *Denbigh*, *Thomas* Lord Viscount *Wenman*, *Denzill* *Hollis*, *William* *Pierrepont*, *Sir Henry Vane* junior, *Oliver* *St John*, *Bulstrode* *Whitelock*, *John* *Crew*, *Edmund* *Prideaux*, for the Lords and Commons assembled in the Parliament of *England* at *Westminster*; and *John* Earl of *Lowdon*, Lord Chancellor of *Scotland*, *Archibald* Marquess of *Argyle*, *John* Lord *Maitland*, *John* Lord *Balmerino*, *Sir Archibald* *Johnston*, *Sir Charles* *Erskin*, *George* *Dundas*, *Sir John* *Smith*, Master *Hugh* *Kennedy*, and Master *Robert* *Barclay*, for the Estates of the Parliament of *Scotland*, together with Master *Alexander* *Henderson*, upon the Propositions concerning Religion: who, or any Ten of them (there being alwayes some of the Parliaments of both Kingdoms) are appointed and authorized to meet at *Uxbridge*, on what day Your Majesty shall be pleased to set down before the last day of this present *January*, with such Persons as Your Majesty shall appoint under Your Signe Manual for that purpose; and the number of the persons to Treat not to exceed Seventeen on either part, unless the persons named for the Estates of the Parliament of *Scotland* now not here, or any of them, shall come, and then Your Majesty may have the like number if You please; there to Treat upon the Matters contained in the Propositions we lately sent unto Your Majesty, according to such Instructions as shall be given unto them; and the Propositions for *Religion*, the *Militia*, and for *Ireland*, to be first Treated on and agreed, and the time for the Treaty upon the said Propositions for *Religion*, the *Militia*, and for *Ireland*, not to exceed Twenty dayes. And for the things mentioned in Your Message to be propounded by Your Majesty, when the Persons sent by Your Majesty shall communicate the same to the Committees appointed by us as aforesaid, we have directed them to send the same to us, that they may receive our Instructions what to doe therein. And to the end that the Persons that are to be sent from Your Majesty and from us with their Retinue, not exceeding the number of one hundred and eight on either part, may repair to *Uxbridge*, stay there, and return at their pleasure without interruption, that mutuall safe Conducts be granted to the said Persons according to the severall Lists of their Names.

Signed by Order of the Lords and Commons assembled in the Parliament of *England* at *Westminster*,

Signed in the name and by warrant of the Commissioners of the Kingdom of *Scotland*,
Lowdon.

Grey of *Wark*, Speaker of the House of *Peers* pro tempore.

William *Lenthall*, Speaker of the Commons House in the Parliament of *England*.

Whereunto His Majesty returned an Answer inclosed in a Letter from *Prince* *Rupert* to the Earl of *Essex*, dated the 21 of *January*; which Letter and Answer were as followeth.

The Letter.

My Lord,

v. **I** Am commanded by His Majesty to return this His Answer to the Message lately sent Him from the Lords and Commons assembled in the Parliament of *England* at *Westminster*, and the Commissioners of the Parliament of *Scotland*, by *Sir Peter* *Killegrew*. I have likewise sent your Lordship His Majesties safe Conduct for the persons desired, and also a List of the names of those His Majesty hath appointed to Treat, for whom, together with their Retinue, His Majesty hath desired a safe Conduct.

Together with this inclosed in a Letter from *Prince* *Rupert* to the Earl of *Essex*, His Majesty sent a safe Conduct for their Commissioners & their Retinue.

The

The Answer inclosed.

HIS Majesty having received a Message by Sir Peter Killegrew from the Lords and Commons assembled in the Parliament of England at Westminster, and the Commissioners of the Parliament of Scotland, concerning a Treaty, returns this Answer; That His Majesty doth very willingly consent that there be a Treaty upon the Matters contained in the Propositions lately sent unto Him in such manner as is proposed, and at the place appointed in the said Message: and to that purpose His Majesty will send the Duke of Richmond, the Marquess of Hartford, the Earl of Southampton, the Earl of Kingston, the Earl of Chichester, the Lord Capell, the Lord Seymour, the Lord Hatton, the Lord Culpeper, Secretary Nicholas, Master Chancelour of the Exchequer, the Lord Chief Baron Lane, Sir Orlando Bridgeman, Sir Thomas Gardiner, M. John Ashburnham, M. Jeffrey Palmer, (together with Doctor Steward, Clerk of His Majesties Closet, upon the Propositions concerning Religion,) to meet with the persons mentioned in the said Message at Uxbridge on Wednesday night the 29th of this instant January, the Treaty to begin the next day: which persons, or any Ten of them, shall be sufficiently authorized by His Majesty to Treat and conclude on His Majesties part. And to the end that the persons aforesaid and their Retinue may repair to Uxbridge, stay there, and return at their pleasure without interruption, or goe or send, during their abode there, to His Majesty, as often as occasion shall require, His Majesty desires that a safe Conduct may accordingly be sent for the said persons and their Retinue, according to a List of their names herewith sent.

VI.

And then also inclosed in a Letter from Prince Rupert to the Earl of Essex, His Majesty sent Propositions to be Treated upon on His Majesties part; which Letter and Propositions follow.

My Lord,

I Am commanded by His Majesty to send these enclosed Propositions to your Lordship, to be presented to the Lords and Commons assembled in the Parliament of England at Westminster, and the Commissioners of the Parliament of Scotland, to the end that there may be as little loss of time as is possible; but that the same may be treated on as soon as may be thought convenient, after the entry upon the Treaty.

VII.
Prince Rupert's
Letter.

His

His MAJESTIES Propositions to the Lords and Commons assembled in the Parliament of England at Westminster, and the Commissioners of the Parliament of Scotland, for a safe and well-grounded Peace.

VIII.
His Majesties
Propositions.

I. **T**Hat His Majesties own Revenue, Magazines, Towns, Forts and Ships, which have been taken or kept from Him by force, be forthwith restored unto Him.

II. That whatsoever hath been done or published contrary to the known Laws of the Land, or derogatory to His Majesties Legal and known Power and Rights, be renounced and recalled; that no seed may remain for the like to spring out of for the future.

III. That whatsoever illegal Power hath been claimed or exercised by or over His Subjects, as Imprisoning or putting to Death their Persons without Law, stopping their *Habeas Corpus*'s, and imposing upon their Estates without Act of Parliament, &c. either by both or either House, or any Committee of both or either, or by any persons appointed by any of them, be disclaimed, and all such persons so committed forthwith discharged.

IV. That as His Majesty hath alwayes professed His readiness to that purpose, so He will most chearfully consent to any good Acts to be made for the suppression of Popery, and for the firmer settling of the Protestant Religion established by Law; as also that a good Bill may be framed for the better preserving of the Book of Common-Prayer from scorn and violence; and that another Bill may be framed for the ease of tender Consciences, in such particulars as shall be agreed upon. For all which His Majesty conceives the best Expedient to be, that a National Synod be legally called with all convenient speed.

V. That all such persons as upon the Treaty shall be excepted, and agreed upon on either side, out of the General Pardon, shall be tried *per Pares*, according to the usual course and known Law of the Land, and that it be left to that either to acquit or condemn them.

VI. And to the intent this Treaty may not suffer interruption by any

any intervening Accidents, that a Cessation of Arms, and free Trade for all His Majesties Subjects, may be agreed upon with all possible speed.

Given at the Court at *Oxford*, the 21th day of *Jan.* 1644.

The Earl of Essex upon receipt hereof returned to Prince Rupert, together with a safe Conduct, this Letter of the 25. of January.

Sir,

I Am commanded by both Houses of the Parliament of *England*, and desired by the Commissioners of the Kingdome of *Scotland*, to desire Your Highness to let His Majesty know, That they do agree, that their Committees do begin the Treaty at *Uxbridge* on Thursday the 30th of this *January*, with the Persons appointed by His Majesty, on the matters contained in the Propositions lately sent unto His Majesty, in such manner as was proposed. And their Committees shall have Instructions concerning the Propositions sent from His Majesty in your Highness Letter. And you will herewith receive a safe Conduct from the Lords and Commons assembled in the Parliament of *England*, for the Persons that are appointed by His Majesty to come to *Uxbridge*, to Treat on the Propositions for a safe and well-grounded Peace, with their Retinue, in a List hereunto annexed. Sir, I am

Westminster, 25. Jan.
1644.

Your Highness humble Servant,
Essex.

Thursday the 30. of January, all the Commissioners named by His Majesty, and Commissioners named by the two Houses of Parliament in England, and the Estates of the Parliament in Scotland, did meet at Uxbridge, where their Commissions were mutually delivered in and read, and are as followeth.

His MAJESTIES Commission.

CHARLES R.

W Hereas after several Messages sent by Us to the Lords and Commons of Parliament assembled at *Westminster*, expressing Our desires of Peace, certain Propositions were sent from them, and brought unto Us at *Oxford*, in *November* last, by the Earl of *Denbigh* and others, and upon Our Answers, Messages, and Propositions to them, and their Returns to Us, it is now agreed, That there shall be a Treaty for a safe and well-grounded Peace, to begin at *Uxbridge* on Thursday the 30th of this instant *January*, as by the said Propositions, Answers, Messages and Returns in writing may more fully appear: We do therefore hereby appoint, assigne and constitute James Duke of *Richmond* and *Lenox*, William Marquess of *Hartford*, Thomas Earl of *Southampton*, Henry Earl of *Kingston*, Francis Earl of *Chichester*,

Chichester, Francis Lord Seymour, Arthur Lord Capell, Christopher Lord Hatton, John Lord Culpeper, Sir Edward Nicholas Knight, one of Our principal Secretaries of State, Sir Edward Hyde Knight, Chancellour and Under-Treasurer of Our Exchequer, Sir Richard Lane, chief Baron of Our said Exchequer, Sir Thomas Gardiner, Sir Orlando Bridgeman, M. John Ashburnham, and M. Jeffrey Palmer, (together with Doctor Richard Steward, upon these Propositions concerning Religion) to be Our Commissioners touching the premisses; and do hereby give unto them, and to any Ten or more of them, full power and authority to meet, and on Our part to Treat with Algernon Earl of Northumberland, Philip Earl of Pembroke and Montgomery, William Earl of Salisbury, Basil Earl of Denbigh, Thomas Lord Viscount Wenman, Denzill Hollis, William Pierrepont, Esquires, Sir Henry Vane the younger, Knight, Oliver S^r John, Bulstrode Whitelock, John Crew, and Edmund Prideaux, Esquires, for the Lords and Commons assembled in the Parliament of England at Westminster; and John Earl of Lowdon, Lord Chancellour of Scotland, Archibald Marquess of Argyle, John Lord Maitland, John Lord Balmerino, Sir Archibald Johnston, Sir Charles Erskin, George Dundas, Sir John Smith, M. Hugh Kennedy, and M. Robert Barclay, for the Estates of the Parliament of Scotland, (together with Master Alexander Henderson, upon the Propositions concerning Religion) or with any Ten or more of them, upon and touching the matters contained in the said Propositions, Answers and Messages, or any other, according to the manner and agreement therein specified, or otherwise, as they, or any Ten or more of them, shall think fit, and to take all the premisses into their serious considerations, and to compose, conclude and end all differences arising thereupon, or otherwise, as they, or any Ten or more of them, in their wisdoms shall think fit, and upon the whole matter to conclude a safe and well-grounded Peace, if they can. And whatsoever they, or any Ten or more of them, shall doe in the premisses, We do by these presents ratifie and confirm the same.

Given at Our Court at Oxford, the eight and twentieth day of January, in the Twentieth year of Our Reign, 1644.

Their

Their Commission to the English Commissioners.

Die Martis, 28. January, 1644.

BE it Ordained by the Lords and Commons assembled in Parliament, that *Algeron* Earl of *Northumberland*, *Philip* Earl of *Pembroke* and *Montgomery*, *William* Earl of *Salisbury*, *Basil* Earl of *Denbigh*, *Thomas* Lord Viscount *Wenman*, *Denzil* *Hollis*, *William* *Pierrepoint*, *Sir Henry Vane* junior, *Oliver* *St. John*, *Bulstrode* *Whitelock*, *John* *Crew*, and *Edmund* *Prideaux*, shall have power and authority, and are hereby authorized, to joyn with the Commissioners of the Parliament of *Scotland*, together with *Alexander* *Henderson* upon the Propositions concerning Religion only, to Treat with the Lord Duke of *Richmond*, the Marquess of *Hartford*, the Earl of *Southampton*, the Earl of *Kingston*, the Lord *Dunsmore*, Lord *Capel*, Lord *Seymour*, *Sir Christopher* *Hatton*, *Sir John* *Culpeper*, *Sir Edward* *Nicholas*, *Sir Edward* *Hyde*, *Sir Richard* *Lane*, *Sir Orlando* *Bridgeman*, *Sir Thomas* *Gardiner*, Master *John* *Ashburnham*, and Master *Jeffrey* *Palmer*, or any Ten of them, upon the Propositions formerly sent to His Majesty (for a safe and well-grounded Peace,) from His Majesties humble and Loyal Subjects assembled in the Parliaments of both Kingdoms, together with Doctor *Steward* upon the Propositions concerning Religion only, and upon His Majesties Propositions, according to such Instructions as have been given to them, or as they from time to time shall receive from both Houses of Parliament.

XI.

Jo. Browne Cler. Parliam.

Their Commission to the Scots Commissioners.

AT *Edinburgh* the faxteint day of *Julii*, the zeir of God M. Vj^e fourty four zeires. The Estaites of Parliament presentlie convened be vertew of the last act of the last Parliament, haldin by His Majesty and thrie Estaites in *Ann^o 1641*. considering that this Kingdome, efter all uther meanes of supplicationnes, Remonstrances, and sending of Commissionaris to His Majesty, have bein used without successe, did enter into a solemne League and Covenant with the Kingdom and Parliament of *England*, for Reformationne and defence of Religionne, the Honor and Happines of the King, the Peace and Safety of the thrie Kingdoms, of *Scotland*, *England*, and *Ireland*, and ane Treattie aggried upon, and ane Armie and Forces raised and sent out of yis Kingdom for these endis: Quhairupone the Conventionne of Estaites of this Kingdome, the nynt of *January* last, being desirous to use all good and lawfull meanes, that Treuth and Peace might be established in all His Majesties Dominions, with such a blessed Pacificationne betwixt His Majesty and His Subjectis as might serve most for His Majesties trew Honor, and the Safety and Happines of His People, granted Commissione to *Fohne* Erle of *Lowdonne* heigh Chancellor of *Scotland*, *Fohne* Lord *Maitland*, than and zit in *England*, *Sir Archibald Fohnestounne* of *Warieftounne*, ane of the Lordis of Sessionne, & Maister *Robert Barclay* now in *England*, to repaire to *England*, with powar to thame, or any twa of yame, to endeavoure the effectuating of ye foirfaides endis, conforme to the Commissione and Instructiones than givin to thame, as the Commissione of the dait foirfaid proportis. Lyke as the saides *Fohne* Lord of *Maitland*, *Sir Archibald Fohnestounne*, and Maister *Robert Barclay* have evir since attendit in *England*, in the discharge of the foirfaid Commissione; qunhil lately that *Sir Archibald Fohnestounne* returned with some Propositiones, prepared by the Committie of both Kingdomes, to be presented to the Estaites of *Scotland*, and to both Hows of the Parliament of *England*, and by thame to be revised, and considerit, and than by mutual advyse of both Kingdomes to be presented for ane safe and weil-grounded Peace. Qwhilkies Propositiones ar revised, and considerit, and

XII.

(Pp)

advysed

advysed be the Estaites of Parliament now conveyned, and their sence and resultis drawin up yrupone. Whiche Commissione is to endure while the comming of the Commissionaris underwritin. And heirewith also considderin, that the endis for the whilk the samen was granted ar not zit effectuete, and that the Propositiones with ye Estaites thair resultis yrupone ar to be returned to ye Parliament of *England*; thairfore the Estaites of Parliament be thir presentis gives full powar and Commissione to the said *Fohne Erle of Lowdonne*, Lord heigh Chancellor of yis Kingdome, *Archibald Marqueis of Argyle*, and *Fohne Lord Balmerino*, for the Nobility, Sir *Archibald Fohnestounne of Wariestounne*, Sir *Charles Erskyne of Cambuskenneth*, and Maister *George Dundas of Maner*, for the Barrones, Sir *Fohne Smyth of Grottell* Proveist of *Edenburgh*, *Hew Kennedy* Burges of *Air*, and Maister *Robert Barclay*, for the Burrowes, (the thrie Estaites of yis Kingdome) and to *Fohne Lord Maitland* supernumerarie in this Commissione, or to any thrie or mae of the hail number, thair being ane of ilk Estate, as Commissionaris from the Estaites of Parliament of this Kingdome, to repaire to the Kingdome of *England* (sick of them as ar not thair already) and with powar to thame or any thrie or mae of the whole number, thair being ane of ilk Estate, to endeavour the effectueting of ye foirsaides endis, the concluding of the Propositions, with the Estaites thaire results thairupon, and all such uyr mat-teris concerning the good of bothe Kingdomes as ar or fall be from time to time committed unto thame be the Estaites of yis Kingdome or Committies thair of, according to the Instruccionnes givin, or to be givin, to the Commissionaris abovenamit, or their quorums. And for this effect, the Estaites Ordeanes, *Fohne Erle of Lowdonne* Chancellor, *Fohne Lord Balmerino*, Sir *Archibald Fohnestounne of Wariestounne*, Sir *Chales Erskyne of Cambuskenneth*, and *Hew Kennedy*, repaire with all dilligence to the Kingdome of *England*, to the effect before rehearsit, conforme to this Commissione and Instruccionnes. As also the Estaites Ordeanes ye saides *Archibald Marqueis of Argyle*, Maister *George Dundas of Maner*, and Sir *Fohne Smyth* Proveist of *Edenburgh*, to repaire to ye Kingdome of *England*, with all sick conveniencie as the occasione of ye businesse shall require, or as they fall be comandit, ather be the Committie from the Parliament heir, they being in *Scotland*, or be the Committie with the Army, they being in *England*. And Ordeanes thame to joyne with the remanent Commissionaris to the effect above mentionat, conforme to the Commissione and Instruccionnes givin, or to be givin, to the Commissionaris or thair quorums thairanent, be the Estaites of this Kingdom or Committies yrof. And the Estaites of Parliament be thir presentis haldis and fall halde firme and stable all and what summe evir thinges the Commissionaris abovenamit, or any thrie or mae of thame, fall do conforme to this Commissione, and to the Instruccionnes given, or to be given to thame. Extractit furthe of the buikes of Parliament, be me Sir *Alexander Gibsone of Dunrie*, Knyt, Clerk of His Majesties Registers and Rollis, under my signe and subscriptionne Manual.

Alexander Gibsone Cler. Regist.

After the Commissions read, their Commissioners delivered to His Majesties Commissioners this Paper.

January the 30.

XIII. **W**E are directed by our Instruccionnes, to Treat with your Lordships upon the Propositions concerning *Religion*, the *Militia*, and *Ireland*, three daies apiece, (*alternis vicibus*) during the space of twenty daies, from the 30 of *January*, beginning first with the Propositions of *Religion*; and accordingly we shall deliver unto your Lordships a Paper to morrow morning upon those Propositions.

Accordingly the Treaty did proceed upon those Subjects three daies apiece (alternis vicibus,) beginning with that of Religion upon Friday the last of January, and so continuing Saturday the first, and Monday the third of February; which

which was after resumed, Tuesday the 11, Wednesday the 12, and Thursday the 13 of February, and again the two last days of the 20. And the like course was held touching the Militia and Ireland.

But because the Passages concerning each Subject severally will be more clearly understood being collected and disposed together under their several heads, therefore all those which concern Religion, the Militia, and Ireland, are put together. And in like manner the Passages preparatory to the Treaty, concerning the Commissions, the Manner of the Treaty, and a Seditious Sermon made the first day appointed for the Treaty, and such as hapned in the Treaty touching His Majesties Propositions, the demands of farther time to Treat, and other emergent Passages which have no relation to those of Religion, the Militia, and Ireland, are in like manner digested under their several heads, with their particular dates.

And first those which concern the Commissions.

Friday the last of January His Majesties Commissioners delivered unto their Commissioners this Paper ;

Ult. January.

WE having perused the Power granted to your Lordships, in the Paper delivered by the Earl of Northumberland, and finding the same to relate to Instructions, we desire to see those Instructions, that thereby we may know what Power is granted to you : and we ask this the rather, because by the Powers we have seen, we do not finde that your Lordships, in the absence of any one of your number, have power to Treat.

XIV.

All their Commissioners were not then come to Uxbridge.

Their Answer.

31. Jan.

BY our Instructions we or any Ten of us, whereof some of either House of the Parliament of *England*, and some of the Commissioners of the Kingdom of *Scotland*, to be present, have power to Treat with your Lordships.

XV.

Their farther Answer.

Ult. Jan.

WHereas your Lordships have expressed unto us a desire of seeing our Instructions, to know what Power is granted us ; and this the rather, because you say you find not by what you have seen, that in the absence of any one of our number we have power to Treat : to this we return in Answer, That since the Paper already delivered in by us, declaring that by our Instructions any Ten of us, whereof some of either House of Parliament of *England*, and some of the Commissioners of the Kingdom of *Scotland*, to be present, had power to Treat with your Lordships, hath not given you satisfaction in the particular of the Quorum, we shall send unto the two Houses of Parliament, to have the Quorum inserted in the Commission, and do expect the return of it so amended within two or three daies, when we shall present it unto your Lordships. But as for your desire in general to see our Instructions, it is that for which we have no Warrant, nor is it, as we conceive, at all necessary, ro proper for us so to doe, for that the Propositions upon which we now Treat have been already presented from the Parliaments of both Kingdoms unto His Majesty, and whatsoever is propounded by us in order unto them, is sufficiently warranted by what both Parliaments have done in the passing and sending of those Propositions, and by the Commissions authorizing us to Treat upon them already shewn unto your Lordships ; so as there can be no need to shew any other Power.

XVI.

Accordingly on Saturday the first of February they did deliver their Commission for the English Commissioners renewed as followeth.

Die Sabbati, primo Febr.

XVII.

BE it Ordained by the Lords and Commons assembled in Parliament, that *Algeron* Earl of *Northumberland*, *Philip* Earl of *Pembroke* and *Montgomery*, *William* Earl of *Salisbury*, *Basil* Earl of *Denbigh*, *Thomas* Lord Viscount *Wenman*, *Denzil Hollis*, *William Pierrepont*, *Sir Henry Vane* junior, *Oliver St. John*, *Bulstrode Whitelock*, *John Crew*, and *Edmund Prideaux*, shall have power and authority, and are hereby authorized, to joyn with the Commissioners of the Parliament of *Scotland*, together with *Alexander Henderson* upon the Propositions concerning Religion only, or any Ten of them, whereof some of either House of the Parliament of *England*, and some of the Commissioners of the Parliament of *Scotland*, are to be present, to Treat with the Lord Duke of *Richmond*, the Marquess of *Hartford*, the Earl of *Southampton*, the Earl of *Kingston*, the Lord *Dunsmore*, Lord *Capel*, Lord *Seymour*, *Sir Christopher Hatton*, *Sir John Culpeper*, *Sir Edward Nicholas*, *Sir Edward Hyde*, *Sir Richard Lane*, *Sir Orlando Bridgeman*, *Sir Thomas Gardiner*, Master *John Ashburnham*, and Master *Jeffrey Palmer*, or any Ten of them, upon the Propositions formerly sent to His Majesty (for a safe and well-grounded Peace,) from His Majesties humble and Loyal Subjects assembled in the Parliaments of both Kingdoms, together with Doctor *Steward* upon the Propositions concerning Religion only, and upon His Majesties Propositions, according to such Instructions as have been given to them, or as they from time to time shall receive from both Houses of Parliament.

Jo. Browne Cler. Parliam.

The same last of January their Commissioners delivered to His Majesties Commissioners this Paper.

January 31.

XVIII.

HAVING considered your Commission and Power from His Majesty given in last night by your Lordships, we finde that you are authorized to Treat only upon certain Propositions sent to His Majesty from the Lords and Commons of Parliament assembled at *Westminster*, and upon His Majesties Answers, Messages and Propositions to them, and their Returns to His Majesty: wherein we observe, that the Propositions sent to His Majesty from His Majesties Loyal Subjects assembled in the Parliaments of both His Kingdoms, are mentioned to be sent to His Majesty from the Lords and Commons of Parliament assembled at *Westminster*; and upon His Majesties Answers, Messages and Propositions to them, and their Returns to His Majesty, that a Treaty is to begin: and wherein we also observe, you have no Power thereby to Treat upon the Propositions sent to His Majesty from His humble and Loyal Subjects assembled in the Parliaments of both Kingdoms, and the Answers, Messages, and Propositions sent from His Majesty to the Lords and Commons assembled in the Parliament of *England* at *Westminster*, and the Commissioners of the Parliament of *Scotland* then at *London*, and their Returns to His Majesty. We desire those defects may be cleared and speedily amended.

The King's Commissioners Answer.

31. January.

XIX.

WE conceive our Power being to Treat upon the Propositions brought by the Earl of *Denbigh* and others, and those Propositions being sent from the Parliaments of both Kingdoms, there need no mention of the Parliaments of both Kingdoms in that place, but that our Power is ample to Treat with your Lordships upon the whole, both by express words, and by other general words in the Commission, which give power to Treat upon those Propositions or any other; which
general

general words are not observed by your Lordships in your Paper; and our Power is to Treat with the Lords and others authorized for the Estates of the Parliament of Scotland by name: yet since you insist upon it, it shall be altered by Tuesday next. And in the mean time (if your Lordships please) we desire * the Papers promised yesterday, in the Paper delivered by the Earl of Northumberland, may be delivered unto us, that there may be as little loss of time as may be.

* The Papers intended are the Propositions concerning Religion, which were not then delivered.

Their Reply,

31. Jan.

IN Answer to your Lordships Paper concerning your Power to Treat, we are content to proceed in the Treaty with your Lordships, in expectation that the Defects mentioned by us in our Paper shall be supplied by Tuesday next. XX.

On Monday the third of February the Kings Commissioners did deliver their Commission renewed, as followeth.

CHARLES R.

WHEREAS certain Propositions were sent unto Us from the Lords and Commons assembled in the Parliament of England at Westminster, and from the Commissioners of the Parliament of Scotland, which were brought unto Us at Oxford in November last by the Earl of Denbigh and others, and upon Our Answers, &c. [as followeth verbatim in His Majesties former Commission.] XXI.

Touching the Manner of the Treaty.

The King's Commissioners Paper.

31. January.

WE desire, to the end there may be a greater freedom in debate (which we conceive will much conduce to the happy conclusion of this Treaty) that nothing may be understood to be concluded on either side but what is delivered in writing, according as your Lordships have begun. And we declare, That what shall be delivered in writing upon any Proposition or upon any part of a Proposition, is not to be binding or prejudicial to either Party, if the Treaty break off upon any other Proposition, or part of any other Proposition. XXII.

Their Answer,

31. Jan.

WE shall deliver our Demands and Answers in writing, and desire your Lordships to doe the like. XXIII.

*The King's Commissioners Reply,**1. February.*

- XXIV. **W**E desire a full Answer of our Paper, that nothing shall be taken as agreed upon but what is put in writing, and your Concurrence in declaring, that what shall be delivered in writing upon any Proposition or upon any part of a Proposition, shall not be binding or prejudicial to either Party if the Treaty break off.

*Their further Answer,**1. February.*

- XXV. **A**ccording to our former Paper, we shall deliver our Demands and Answers in writing, and we desire your Lordships to do the like, and nothing shall be taken as agreed upon but what is put in writing. And we shall acquaint the Houses of Parliament, that you have declared, what shall be delivered in writing upon any Proposition or upon any part of a Proposition, is not to be binding or prejudicial to either Party if the Treaty break off.

3. February.

- XXVI. **I**N Answer to your Lordships Paper formerly delivered, we do declare, that what shall be delivered in writing upon any Proposition or upon any part of a Proposition, is not to be binding or prejudicial to either Party, if the Treaty break off upon any other Propositions or part of any Proposition.

*Touching the Seditious Sermon.**The King's Commissioners Paper.**31. January.*

XXVII.
It was on Thursday being Market-day, and the first day of the Meeting.

WE have certain Information from divers Persons present in *Uxbridge Church* yesterday, that there was then a Sermon preached by one Mr Love, in which were many passages very Scandalous to His Majesties Person and derogatory to His Honour, stirring up the People against this Treaty, and incensing them against us, telling them, *That we come with hearts full of Blood, and that there is as great distance between this Treaty and Peace as between Heaven and Hell*, or words to that effect; with divers other Seditious passages both against His Majesty and this Treaty. We know His Majesties hearty desire of a happy and well-grounded Peace, such as may be for God's Honour, and the good of all His Subjects, as well as Himself; and we that are entrusted by His Commission come with clear Intentions to serve Him in it, according to our Consciences and the best of our Judgements. And this being preached in your Quarters, where we are now under safe Conduct, we desire your Lordships to consider how much this may reflect upon our Safety, how much it may prejudice and blast the blessed hopes of this Treaty, and how just offence and distrust it may beget in His Majesty: and therefore we desire Justice against the Man, that he may have exemplary Punishment.

Their

Their Answer,

31. Jan.

TO the Paper delivered in by your Lordships this day, concerning the Information received of several Scandalous passages preached in a Sermon in *Uxbridge* Church by one Master *Love*, we do return this Answer, That the said Master *Love* is none of our Retinue, nor came hither by any privy of ours; That we conceive it most reasonable and agreeable to the business we are now upon, that all just occasions of Offence on either part be avoided; and as it hath been our desire, so it shall be our endeavour, to take the best care we can, to prevent all prejudices upon the present Treaty which may blast the blessed hopes thereof, or may beget any just offence and distrust in His Majesty, and shall be as tender of the Safety of your Lordships persons, according to the safe Conduct, as of our own. We shall represent your Lordships Paper concerning this business (if your Lordships so desire) unto the Lords and Commons assembled in the Parliament of *England*, who will proceed therein according to Justice.

XXVIII.

The King's Commissioners Reply,

1. February.

WE insist upon our former desire concerning the Sermon preached by M^r *Love*, and must referre the way of doing Justice to your Lordships; and if your Lordships are not satisfied that such Words as we have charged him with were spoken by him, we are ready to produce the Proof thereof to your Lordships.

XXIX.

Their further Answer,

1. February.

WE will represent both your Lordships Papers concerning Master *Love* unto the Lords and Commons assembled in the Parliament of *England* at *Westminster*, who will proceed therein according to Justice.

XXX.

In the next place, according to the order before mentioned, do follow the passages and Papers concerning *Religion*.

Their Paper,

31. Jan.

ACCORDING to the * Paper delivered by us to your Lordships yesternight, we do now offer these Propositions following, which concern *Religion*.

XXXI.

That the Bill be passed for Abolishing and taking away of all Arch-Bishops, Bishops, &c. according to the Third Proposition.

* The Paper intended, is that before of 30. Jan. num. 13. The Propositions here intended are those before mentioned on their part, sent by the Earl of Denbigh and others to Oxford. And the Bill for abolishing Episcopacy is in the Appendix, n. 3.

That the Ordinances concerning the Calling and sitting of the Assembly of Divines be confirmed by Act of Parliament.

That the Directory for Publick Worship, already passed both Houses of the Parliament of *England*, and the Propositions concerning Church-Government, hereunto annexed and passed both Houses, be enacted as a part of Reformation of Religion and Uniformity, according to the Fifth Proposition.

That His Majesty take the Solemn League and Covenant, and that the Covenant be enjoyed to be taken, according to the Second Proposition.

The Treaty at Uxbridge.

*To this was annexed the following Paper of the
31. January.*

That the ordinary way of dividing Christians into distinct Congregations, and most expedient for Edification, is by the respective bounds of their Dwellings.

That the Minister and other Church-Officers in each particular Congregation shall joyn in the Government of the Church, in such manner as shall be established by Parliament.

That many particular Congregations shall be under one Presbyterial Government.

That the Church be governed by Congregational, Classial and Synodical Assemblies, in such manner as shall be established by Parliament.

That Synodical Assemblies shall consist both of Provincial and National Assemblies.

The King's Commissioners Paper,

1. February.

XXXII.

HAVING considered your Lordships Paper, containing the Propositions concerning *Religion*, with the Paper annexed, and finding the same to contain absolute Alterations in the Government both of the Ecclesiastical and Civil State; we desire to know whether your Lordships have power to Treat and debate upon the said Propositions, and upon debate to recede from or consent to any Alterations in the said Propositions, if we shall make it appear to be reasonable so to doe, or whether your Lordships are bound up by your Instructions to insist upon the Propositions without any Alteration.

Their Answer,

1. Feb.

XXXIII.

OUR Paper given in to your Lordships concerning *Religion*, doth contain no Alterations but such as are usual in a time of Reformation, and by the wisdom of the Parliaments of both Kingdoms are judged necessary at this time for settling Religion and Peace. And as by our Commissions and Papers formerly shewed your Lordships we have made known our Power to Treat upon them; so are we ready by Debate to shew how reasonable they are, and that there will be no reason to expect that we should alter or recede from them. But as for your demand of our shewing what farther Power we have by our Instructions, it is that we have no warrant to doe, as we have already signified to your Lordships by a former Paper.

The King's Commissioners Paper,

Feb. 1.

XXXIV.

YOUR Lordships first Proposition in the Paper concerning *Religion*, referring to the Third Proposition sent to His Majesty, we find that referres to the Articles of the late Treaty of the date at *Edenburgh*, 29. Nov. 1643. and to the joynt Declaration of both Kingdoms: we desire your Lordships we may see those Articles and Declarations, and your Lordships second Proposition in that Paper, referring to the Ordinances concerning the Calling and sitting of the Assembly of Divines; we desire to see those Ordinances.

Their

Their Answer,

1. Feb.

ACCORDING to your Lordships desire in the * third Paper, we now deliver in the Articles of the late Treaty of the date at *Edenburgh* 29. of *November* 1643. and the * joynt Declaration of both Kingdoms; and we shall speedily deliver to your Lordships the Ordinances concerning the Calling and sitting of the Assembly of Divines.

XXXV.
* Meaning the next present Paper.
* This joynt Declaration is already printed. But the Articles being not Printed are in the Appendix, n. 4.

The King's Commissioners Paper.

1. Feb.

WE desire to know whether the Propositions which we have received from your Lordships touching Religion, be all we are to expect from you upon that Subject.

XXXVI.

Their Answer,

1. Feb.

THERE are other things touching Religion to be propounded by us unto your Lordships, upon the Propositions formerly sent unto His Majesty from the Parliaments of both Kingdoms, which we shall in due time give in unto your Lordships: But we do first desire your Answer to the Paper touching Religion given in yesterday, that some good progress may be made therein before the three daies assigned to treat upon Religion in the first place do expire.

XXXVII.

The King's Commissioners Paper.

1. Feb.

WE desired to know whether the Propositions we formerly received from your Lordships concerning Religion, were all that would be offered concerning that Subject, because we thought it very necessary (since so great Alterations are proposed by you) to have a full view of the whole Alterations that are desired, since in an Argument of the greatest weight and highest importance, we cannot possibly give a present Judgement of any Part till we have a prospect of the Whole: But since your Lordships do not yet think it time to let us have a sight of the rest, but first desire our Answer to the * Paper delivered yesterday, which contains many particulars of which we never heard before, we shall apply our selves to understand the things proposed by you, in such manner as we may return your Lordships a speedy Answer; and to that purpose must desire your Lordships information in some particulars which are comprized in your Lordships Paper. And when your Lordships consider that the * Directory for Worship (being so long) was delivered to us but yesterday, that the Covenant, the Articles of the Treaty of *Edenburgh*, the Declaration of both Kingdoms (which are comprehended within the First Proposition) were delivered to us but this day, and therefore we could return no Answer concerning the Bill for abolishing Arch-bishops and Bishops, (which is proposed to be passed) according to the Third Proposition, in which the said Articles and Declarations are comprehended, and that the Ordinances for the Sitting of the

XXXVIII.

* See before num. 31.

* The Directory which was delivered in is of great length, & the Covenant delivered with it, both now Printed & obvious, are therefore forborn to be inserted here or in the Appendix.

the Assembly are not yet delivered unto us; we are confident your Lordships will not think us negligent in making as good a progress in the Treaty upon Religion as is in our power, which we shall endeavour to advance with all diligence and the best of our understanding.

* See them in the Appendix, num. 5, & 6.

*Afterwards, the same first of February, the * Ordinances for the Assembly of Divines were delivered in.*

After some debate touching the nature of the Church-Government intended by the Paper annexed to the first Paper upon the Subject of Religion, which are here before set down, the Kings Commissioners delivered in this following Paper.

1. Feb.

XXXIX.

THe Information we desire from your Lordships for the present is, Whether by the words in the first of those Propositions in your Lordships Paper annexed [*the respective bounds of their Dwellings*] you intend the several bounds of their dwelling-Houses, or the bounds of Parishes; or whether you intend an alteration of the bounds of Parishes.

In the second Proposition, What other Church-Officers your Lordships intend shall joyn with the Ministers in the Government of the Church, and what Jurisdiction they shall exercise in order to that Government, and from whom they shall derive it, and in what degree be subordinate to the power from whom they derive it; and what you intend by *Presbyteriall Government*, in your third Proposition.

In the fourth Proposition, What your Lordships intend by *Congregationall, Classicall and Synodical Assemblies*.

How Synodical Assemblies, Provinciall and Nationall shall be constituted as to Persons and Causes, and what shall be the bounds and limits of their Jurisdiction; and from whom the several Jurisdictions above mentioned shall be derived.

To these particulars we would be glad (if your Lordships think it fit) to receive satisfaction by Debate, where Questions may be asked and Replies made before any Answer be returned in writing, which may ask much time, and be less satisfactory: but we referre the way to your Lordships.

Their Answer.

1. Feb.

XL.

WE cannot but be sensible of the great loss of time occasioned by your Lordships Questions for Information in your last Paper, and shall have small hopes of good success in this Treaty, having these two daies made so little progress, unless your Lordships be pleased to give us full Answers to our Demands concerning Religion: Yet to give all satisfaction with as little expence of time as may be, we are ready by present Conference to clear the Questions in your Paper.

The

The King's Commissioners Reply in two several Papers next following.

2. Feb.

WE conceive there was no cause your Lordships should apprehend XLI.
any loss of time occasioned by our Questions, for that your Propositions concerning Religion were not delivered to us till Friday last, and the Directory then delivered with them so long, that the reading of it spent the residue of that day, and divers other Papers to which the Propositions referred, and without which we could not consider them, were not delivered us before yesterday, and some of them not till after the Paper which imputes a delay to us; and your Lordships having propounded onely general heads of a *Presbyteriall* Government, without any particular Modell of it, which in several Reformed Churches (as we are informed) is various both in Names and Powers, it was necessary to understand the particular expressions in your Paper, the Alteration desired being so great, and being proposed to be enacted, which will require His Majesties Consent, whom we ought to satisfy, having so great a Trust reposed in us. And we desire your Lordships to consider how impossible it hath been for us to give your Lordships, in less then two daies, a full Answer (which in your last Paper you require) to what you propose, which is in effect to consent to the utter abolishing of that Government, Discipline and publick Form of the Worship of God, which hath been practised and established by Law here ever since the Reformation; and which we well understand, and the Alteration of which in the manner proposed, takes away many things in the Civil Government, and provides no remedy for the Inconveniences which may happen thereby: And to consent to the Alienation of the Lands of the Church, by which (for ought appears) besides infinite other Considerations, so many Persons may be put to beg their bread, to oblige His Majesty and all His Subjects to the taking a new Oath or Covenant, and to receive and consent to a new Government, we do not, nor without information cannot, understand; and which (in truth) appears to us, by your Lordships Propositions, not to be yet agreed upon in the particulars, and your Lordships having declared to us, that you have other things to propose to us concerning Religion, which you do not yet think it fit time to acquaint us withall. Notwithstanding all which Difficulties, we shall proceed with all possible expedition, and desire your Lordships will not object Delayes to us, till we give you just occasion.

February 2.

THAT we may make a right use of the Information your Lordships XLII.
were pleased yesterday to afford us in debate upon the Questions proposed by us concerning the Propositions in your Lordships Paper annexed, for the future Government of the Church, and so have some understanding of that Government intended by your Lordships in place
of

of that you propose to be abolished, we desire to receive your Lordships Answer in writing, whether these short Collections upon the Debate yesterday be the Summe of your Lordships Resolutions, or Informations upon the Questions formerly proposed by us.

We conceive that the Information given to us in debate by your Lordships to the Questions we proposed to you in writing was,

1. That the Congregational Assemblies consist of the Ministers and Ruling Elders.

2. That the Classcal Assemblies consist of many Congregational Assemblies.

3. That the Provincial Assemblies are constituted of the several Classcal Assemblies.

4. That all these Congregational, Classcal and Provincial Assemblies together, constitute a National Assembly.

5. That the Authority and Jurisdiction of the several Assemblies shall be settled by Parliament.

And if your Lordships have any thing else to inform us concerning this Government, we desire to receive the same from your Lordships.

The King's Commissioners Paper,

3. February.

XLIII

WE are ready by present Conference to enter upon consideration of your Lordships First Proposition, concerning *Religion*, and shall desire to receive or give satisfaction, whereby we may be of one minde in that Argument. And for the better entering into this Debate, we desire to know whether in respect of Alteration mentioned in the Third Proposition to be made in the Bill for abolishing *Episcopacy*, you would have this individual Bill pass or not.

Their Answer,

3. Feb.

XLIV.

WE desire the Bill for the utter abolishing of *Episcopacy*, which now remains with His Majesty, may be passed without prejudice to us to insist upon the * Alterations mentioned in the Third Proposition; and we are ready to give your Lordships a present Conference upon the First Proposition, concerning *Religion*, according to your desire.

* The Alterations intended here and in the third Proposition, are according to the Articles of the Treaty at Edinburgh, (which see in the Appendix, n. 4.) and the Joynt Declaration of both Kingdoms, which are; That whereas by the Bill the Bishops Lands are mentioned to be given to the King, and other Church-Lands for other uses, by those Articles and Declarations they may be taken away and employed to payment and recompence of the Scots, and for paying the publick Debts, and repairing of particular Losses.

After a Conference, wherein much time was spent in debate concerning that individual Bill which was presented for abolishing *Episcopacy*, their Commissioners delivered this Paper.

3. Feb.

XLV.

WE desire your Lordships Answer to our Demands upon the Propositions for *Religion*, and in the first place to the Bill for abolishing of *Episcopacy*, which hath been so much debated, that upon the expiring of the first three dayes appointed to

to Treat concerning *Religion*, we may be able to return such an account to the Parliaments of both Kingdoms as may give them hopes of a happy progress in this Treaty.

The King's Commissioners Answer.

3. Feb.

WE conceive we have offered so weighty Doubts and Considerations to your Lordships in this dayes Debate concerning several parts in the Bill for abolishing of *Episcopacy*, (your Lordships having confined and limited our Debate to that individual Bill as it is now penn'd, not to the consideration of abolishing *Episcopacy* in general) that your Lordships cannot expect a positive Answer from us now (being after eleven a clock at night) touching that Bill: but we shall be ready by the next day assigned for the Treaty upon this Argument, to deliver our Opinions to your Lordships; the which we shall be then the better able to doe, when we have found by the progress in our other Debates how farre a blessed and a happy Peace is like to be advanced by our endeavouring to give your Lordships satisfaction in this particular.

XLVI.

This being the last of the three first dayes assigned for the Treaty upon Religion; that Subject was again taken up the 11. of Feb. being the first of the second three dayes appointed for Religion:

And their Commissioners delivered this Paper.

11. Feb.

HAVING received no satisfaction in the first three dayes appointed to Treat upon the Propositions for *Religion*, we do now desire your Lordships clear and full Answer to our former Demand on this Subject, that no farther time may be lost in a matter which doth so much concern the Glory of God, the Honour of the King, and the Peace and Happiness of His Kingdoms.

XLVII.

The King's Commissioners Answer.

11. Feb.

WE gave your Lordships as much satisfaction in the first three dayes appointed to Treat upon the Propositions for *Religion* as in so short a time, and upon so little information from your Lordships, could reasonably be expected in a matter of so great and high importance: and as we have given your Lordships already * many Reasons * concerning the Injustice and Inconveniency which would follow upon passing the Bill for abolishing *Episcopacy*, according to your first Proposition; so we are now ready by Conference to satisfy your Lordships, why we conceive that the said Bill is not for the Glory of God, or the Honour of the King, and consequently cannot be for the Peace and Happiness of His Kingdoms: and if your Lordships Reasons shall convince us in those particulars, we shall willingly consent to what you desire; if otherwise, we shall offer to your Lordships our Consent to such other Alterations as we conceive may better contribute to the Reformation intended, and such as may stand with the Glory of God, and, in truth,

* That was by Conference.

(Qq)

be

be for the Honour of the King, and the Peace and Happiness of His Kingdoms.

Their Reply.

II. Feb.

XLIX.

WE have received no satisfaction from your Lordships concerning the Propositions delivered in by us for *Religion* in the name of the Parliaments of both Kingdoms, nor have you made appear unto us any Injustice or Inconveniency in the passing of the Bill for abolishing of *Episcopacy*. And as it cannot be denied but the settling of *Religion* is a matter which doth highly concern the Glory of God, the Honour of the King, and the Peace and Happiness of his Kingdoms; so do we desire your Lordships will grant those Demands which have been made unto you by us to that end; and we are ready by present Conference to receive what your Lordships will offer upon any of those Propositions, and to return that which may give your Lordships just satisfaction.

The King's Commissioners Answer.

II. February.

- L. **Y**our Lordships having expressed in your Paper of the first of February, that there are other things touching *Religion* to be propounded by your Lordships to us, we presume that by this time you may be enabled by your Instructions to propose the same; and therefore we desire to receive them from your Lordships: which we hope your Lordships will think very reasonable, when you consider how incongruous a thing it will appear to most men, to consent to real and substantial Alterations in the matter of *Religion*, without having a view of the whole Alterations intended, when at the same time there is mention of other Alterations.

Their Answer thereunto.

II. February.

- LI. **W**E shall deliver in very speedily that which remaines with us touching *Religion* to be propounded unto your Lordships: But we do desire (as before) your Lordships Answers unto our Demands in the same order that we have proposed them, not conceiving it reasonable there should be any time spent in Debates or Answers upon what we shall hereafter offer, till we have received satisfaction in our former Propositions; which we desire may be speedily done, lest otherwise the Treaty be retarded, and the Expectation of both Kingdoms altogether frustrated.

Notwithstanding this, they delivered in this further Answer.

II. February.

LII.
See num. 59.

IN Answer to your Lordships Paper this day delivered to us, we desire that His Majesty do give His Royal Assent to an Act of Parliament for the due Observation of the Lords Day, and to the Bill for suppressing of Innovations in Churches and Chappels in and about the Worship of God, &c. and for the better advancement of the Preaching of God's Holy Word in all parts of this Kingdom, and to the Bill against enjoying of Pluralities of Benefices by Spiritual persons, and non-Residency. And we shall in due time give in to your Lordships our Demands concerning Papists, contained in the sixth, seventh, eighth, ninth and tenth Propositions; and for His Majesties Assenting to an Act to be framed and agreed upon in both Houses of Parliament, for the regulating and reforming of both Universities, of the Colleges

leges of *Westminster, Winchester and Eaton*, and for the Education and Marriage of His Majesties Children, and the Children of His Heirs and Successors, in the true Protestant Religion, as is in the 21. Proposition.

Some part of the 11, and the most part of the 12. of February, was spent in Argument by Divines touching Episcopacy and the Presbyterial Government. Afterwards their Commissioners gave in this Paper.

12. February.

There having now been several dayes spent in debate upon the Propositions for *Religion*, and all Objections alleged to the contrary either from Conscience, Law or Reason, being fully answered, and the time allotted for that so important a part of the Treaty almost elapsed, we should be wanting to the Trust reposed in us, if we should not press and expect (as we now do) a clear and positive Answer to those Demands concerning Religion which we have offered unto your Lordships from the Parliaments of both Kingdoms, as most necessary for the settling of a safe and well-grounded Peace in all His Majesties Dominions. LIII.

The King's Commissioners Answer.

12. Feb.

WE deny that the Objections alleged by us against the passing the Bill for abolishing *Episcopacy* from Conscience, Law or Reason, have been fully answered by your Lordships; or that indeed we have received any satisfaction from your Lordships in these particulars. We have received no Information from your Lordships to satisfy us that *Episcopacy* is, or hath been, an impediment to a perfect Reformation, to the * growth of Religion, or that it is prejudicial to the Civil State; which we have often desired from your Lordships, without effect, and which are the Grounds upon which your Lordships propose the abolishing *Episcopacy*: and we shall be very willing, and are desirous to receive your Lordships Reasons in these particulars. And how short soever the time allotted is for the Treaty (for which we cannot be answerable, being not bound up in point of time by His Majesty as your Lordships say you are by your Instructions; and we should be glad that the same might be enlarged proportionably to the importance of the things to be Treated on) we should be wanting to the great Trust reposed in us, if we should consent to those Demands as they are proposed to us by your Lordships, otherwise then as they are agreeable to our Consciences and Understandings. And such an Answer your Lordships shall receive from us to your Demands concerning *Religion*, upon which we hope a safe and well-grounded Peace, by the blessing of God, may be established. LIV.

* These words are in the preamble of the Bill presented by the for abolishing *Episcopacy*.

Their Paper.

13. Feb.

WE did assure our selves, that after so many dayes debate concerning *Religion*, and our removal of whatever Objections have been offered by your Lordships, and our making it appear how great a hinderance Episcopal Government is and hath been to a perfect Reformation, to the growth of Religion, and prejudicial to the Civil LV.

(Qq 2)

Civil State; that your Lordships would have been ready to have answered our expectation with the Grant of our Demands: But if still your Lordships remain unsatisfied, we conceive it cannot with any Justice be imputed unto us, and therefore we again desire your Lordships full and clear Answer to what we have delivered unto you concerning *Religion*.

Upon this last Paper, and after the several Debates between the Commissioners, and Arguments by the Divines, and consideration had of all that had been delivered concerning Religion, His Majesties Commissioners gave in these Four Papers following.

13. Feb.

LVI.

WE are not yet satisfied that the Bill insisted on by your Lordships, which remains in His Majesties hands, for the utter abolishing of *Arch-bishops, Bishops, Deans and Chapters, &c.* ought to be enacted, believing it not to be agreeable to Conscience and Justice, to alienate the Lands therein mentioned to Lay-uses; and not understanding that the Alienation thereof is necessary at all to the Reformation of *Religion*: besides that there is no certain provision made for any of those who are now legally vested in those possessions, whereby they and their Families shall be in evident danger of want of bread: and it appearing by your Lordships Propositions, which relate to the Articles of the late Treaty of the date at *Edenburgh 29. of Novemb. 1643.* and the joynt Declaration of both Kingdoms, to which you require our Assent as well as to the Bill, that part of the Church-land may be, after the passing this Bill, assigned to other uses then is exprest in the said Bill. Upon these considerations, and upon your Debate which hath passed between us upon this Bill, whereby it hath appeared that there would be so great an Alteration in the Civil State by this Bill being enacted, in the failer of Justice at the Common Law, and otherwise in many several particulars of great importance to the Subjects of this Kingdome, which, for ought appears to us, is not yet provided for, and that by a particular * Clause in the Bill His Majesties ancient and undoubted power of the *Ecclesiastical Jurisdiction* is wholly taken away; besides, it may be very considerable what inconveniences would ensue by the passing this Bill now, which looks back and is to begin from *November* was twelve-moneth, whereby all those Acts of Jurisdiction exercised by Bishops since that time are already void, which would produce great inconveniences and mischiefs touching the probates of Wills and Administrations throughout the Kingdom; not to speak of the doubts which may arise in many consciencious men who have been ordained by Bishops since that time, which may seem to be likewise declared void by this Bill, and so at least to discountenance all Acts which have insued by virtue of that Ordination, and thereby many Questions may arise in Law concerning Marriages, Legitimations and Descents of Inheritance; and for many other reasons exprest in our Conference and Debate, we conceive that your Lordships may be satisfied, that this individual Bill ought not to pass.

For

See before in the margin to the Paper, num 44.

* See that Clause in the Bill in the Appendix, n. 3. at this mark †

For the matter then of the said Bill, the Extirpation of Episcopacy, we desire your Lordships to consider, That it is evident, and we conceive consented to on all parts, that it hath continued even from the Apostles times by continual Succession in the Church of Christ, till within these few years, without intermission or interruption; and then how perilous a thing it must be, and prejudicial to the publick Peace, to remove and destroy a Form of Government so long exercised in this Kingdom, and under which we have enjoyed as great a measure of Happiness (to say no more) as any Nation in Christendom, and which your Lordships have not pretended to be unlawfull, before we particularly see the Model of that Government and Jurisdiction which is to be established in the place thereof, that thereby we may be assured that it be such, to which as well those who like as all those who dislike the present Government will submit; otherwise Peace, which is the main end and pretence for Alterations, cannot be established: and therefore we very earnestly beseech your Lordships to consider and weigh, whether, without shaking Foundations, it be not much better, and more agreeable to Christian Prudence and Charity, to remove those particulars from the present Government, and make such Alterations therein as may most probably give satisfaction to all persons seriously disturbed or afflicted in their Consciences, then by destroying the whole, to give just Offence and Scandal to very many Pious and Religious Persons.

Under these Considerations, and for the uniting and reconciling all Differences between us in the matter of *Religion*, and procuring a blessed Peace, we are willing,

That Freedom be left to all Persons, of what Opinions soever, in matters of Ceremony, and that all the Penalties of the Laws and Customs which injoyn those Ceremonies be suspended.

That the Bishop shall exercise no Act of Jurisdiction or Ordination without the consent and counsel of the Presbyters, who shall be chosen by the Clergy of each Diocese out of the learnedest and gravest Ministers of that Diocese.

That the Bishop keep his constant residence in his Diocese, except when he shall be required by His Majesty to attend Him on any occasion, and that (if he be not hindered by the infirmities of old Age or Sickness) he Preach every Sunday in some Church within his Diocese.

That the Ordination of Ministers shall be always in a publick and solemn manner, and very strict Rules observed concerning the Sufficiency and other Qualifications of those men who shall be received into Holy Orders; and the Bishop shall not receive any into Holy Orders without the approbation and consent of the Presbyters, or the major part of them.

That competent maintenance and provision be established by Act of Parliament to such Vicarages as belong to Bishops, Deans and Chapters, out of the Improvements, and according to the value of those Improvements, of the several Parishes.

(Q 9 3)

That

That for the time to come, no man shall be capable of two Parsonages or Vicarages with Cure of Souls.

That towards the settling of the publick Peace, one hundred thousand pounds shall be raised by Act of Parliament out of the Estates of Bishops, Deans and Chapters, in such manner as shall be thought fit by the King and two Houses of Parliament, without the Alienation of any of the said Lands.

That the Jurisdiction in Causes Testamentary, Decimal, Matrimonial, be settled in such manner as shall seem most convenient by the King and two Houses of Parliament.

And likewise that one or more Acts of Parliament be passed for regulating of Visitations, and against immoderate Fees in Ecclesiastical Courts, and the abuses by frivolous Excommunications, and all other abuses in the exercise of Ecclesiastical Jurisdiction, in such manner as shall be agreed upon by His Majesty and both Houses of Parliament.

And if your Lordships shall insist upon any other thing which your Lordships shall think necessary for Reformation, we shall very willingly apply our selves to the consideration thereof.

13. February.

LVII.

FOR the confirmation of the Ordinances concerning the Calling and Sitting of the Assembly of Divines and the taking the Covenant, we conceive neither of them need be insisted on, if the alterations of Church-Government be agreed upon between us: and if they be not, it will not be reasonable that we consent to those Ordinances. And for the Covenant, we cannot advise His Majesty to swear and signe the same, nor consent that an Act of Parliament should pass for enjoying the taking thereof by His Majesties Subjects.

13. February.

LVIII.

WE do not yet conceive that the Directory for publick Worship, delivered to us by your Lordships, ought to be enacted, or that it is so likely to procure and preserve the Peace of this Kingdom, as the Liturgy or Common-Prayer-Book already established by Law, against which we have not yet received from your Lordships any Objections; which Liturgy (as the same was compiled by many Learned and Reverend Divines, of whom some dyed Martyrs for the Protestant Religion) we conceive to be an Excellent Form for the Worship of God, and hath been generally so held throughout this Kingdom till within these two or three years at the most. And therefore since there are no Inconveniencies pretended to arise from the Book of Common-Prayer to which we conceive the Directory is not more liable, and since there is nothing commendable in the Directory which is not already in the Book of Common-Prayer, we conceive it much better and more conducing to the Peace of this Kingdom, still to observe the said Form, with such Dispensations as we have expressed in

our

our first Paper now presented to your Lordships: and if there shall be any Alterations proposed by your Lordships of such particulars in the Book of Common-Prayer as good men are scrupled at, we shall willingly endeavour to give your Lordships satisfaction in those particulars; but as yet can make no further or other Answer then we have already done; but shall be ready to receive such Objections as your Lordships shall think fit to make against the Book of Common-Prayer, and your Reasons for introducing the Directory. And for the Proposition concerning Church-Government, annexed to your first Paper, we have no Information how that Government shall be constituted in particular, or what Jurisdiction shall be established, or by whom it shall be granted, or upon whom it shall depend. And therein also we desire further Information from your Lordships.

13. February.

WE desire to see the Bills for the Observation of the Lord's day, LIX.
for suppressing of Innovation in Churches and Chappells,
and for the better advancement of the Preaching of God's Holy Word,
which are mentioned in your Lordships * Paper of the 11 of Febr. * num. 52.
we being very ready to consent to the subject Matter of those Bills.
We have expressed in our Paper delivered to your Lordships what
we conceive fit to be done in the business of Pluralities, which will
prevent any inconveniences that way: And when your Lordships
shall give us your Demands concerning Papists, and when we shall
see the Acts for the regulating and reforming of both Universities, of
the Colleges of *Westminster, Winchester and Eaton*, and for the Education
and Marriage of His Majesties Children, and the Children of His
Heirs and Successors, in the true Protestant Religion, we shall give
your Lordships such Answers as shall be fit, being very willing to
concur with your Lordships in any good means for the suppressing
of Popery, and advancement of the Protestant Religion. And we are
well assured that His Majesty hath taken a pious care for the Educa-
tion of all His Children in the true Protestant Religion; and having
already married one of His Children to the satisfaction (we conceive)
of all His good Subjects, we are confident, in due time, His Majesty will
so dispose of the rest in Marriage as shall be most for the advancement
of Religion, and the good and welfare of all His Dominions.

Their Answer to the First.

13. February.

WHEREAS we expected your Lordships resolution for His Majesties assent unto the Bill for the utter Abolishing of *Arch-bishops, Bishops, &c.* we find by your Paper given in this Evening, that your Lordships are not yet satisfied that the Bill should pass, and you are pleased to express several Reasons and Objections against it, which were at large answered and cleared at the publick Debate. But what was then said by us is now by your Lordships wholly omitted; nor may we in writing represent it again unto your Lordships, it not being agreeable to the usage of
(Q q 4)

of Parliament to deliver Reasons for or against a Bill, though we were willing by Conference in the Treaty to satisfy all doubts, and remove all scruples which remained with you. And so farre were we from consenting that Episcopacy hath continued from the Apostles times by continual Succession, that the contrary was made evident unto your Lordships, and the Unlawfulness of it fully proved. And as for that which your Lordships have propounded for uniting and reconciling all differences in the matter of Religion, it is a new Proposition, which wholly differs from ours, is no way satisfactory to our desires, nor consisting with that Reformation to which both Kingdoms are obliged by their solemn Covenant; therefore we can give no other Answer to it, but must insist, to desire your Lordships that the Bill may be past, and our other Demands concerning *Religion* granted.

The King's Commissioners Reply thereunto.

13. February.

LXI.

WE conceive that our Answer to your Lordships concerning the Bill for the utter abolishing of Arch-bishops, Bishops, &c. was so reasonable, that it clearly appears thereby, that the passing that individual Bill is not agreeable to Conscience and Justice, and that it would be very prejudicial to the Civil State and to the Peace of the Kingdom; neither have the Reasons and Objections given by us against it, first in Debate, and since in Writing, been answered in Debate by your Lordships. And therefore we know no reason why your Lordships may not give an Answer to those Objections in writing. For as it is not agreeable to the usage of Parliaments, for the two Houses to give His Majesty Reasons why He should pass any Bill presented by them; so it is no more agreeable to the same usage, for His Majesty to give Reasons why He doth not pass Bills so presented. But we desire your Lordships to consider that we are now in a Treaty, and we conceive the proper business thereof to be, for your Lordships to give us Reasons why His Majesty should consent to the Propositions made by you, or for us to give Reasons to your Lordships why we cannot consent to those Propositions; otherwise it would be onely a Demand on your Lordships part, and no Argument of Treaty between us. And we must profess to your Lordships, that as we conceived in our former Paper the Succession of Episcopacy, by Succession from the Apostles time, was consented to on all parts; so we cannot remember that the contrary thereof was so much as alleged, much less that the Unlawfulness thereof was proved, the Question of the Lawfulness thereof having never yet come in debate. And we shall be very ready to receive any assertion from your Lordships to that purpose, not doubting but we shall give your Lordships full satisfaction in that point. And we conceive the Alterations proposed by us to your Lordships to be a very proper Answer to your Lordships Propositions, and most agreeable to the end for which those Propositions seem to be made. And that since it appears, that the utter abolishing of Episcopacy in the manner proposed is visibly inconvenient, and may be mischievous, the Regulating of Episcopacy, being most consonant to the Primitive Institution, will produce all these good effects towards Peace and Unity, which

which Regulated Episcopacy is the summe of our former Paper; we desire your Lordships to consent to the same. And we again offer to your Lordships, that if you shall insist upon any other things necessary for Reformation, we will apply our selves to the consideration thereof.

Their Answer to the Second.

13. Feb.

WE conceive your Lordships second Paper, this day delivered to us, is a Denial of our Demands, that the Ordinance for the Calling and Sitting of the Assembly of Divines be confirmed by Act of Parliament, and that His Majesty take the solemn League and Covenant, and the Covenant be enjoined to be taken, according to the Second Proposition. Wherein if we misconceive your Lordships intention, we desire you would explain the meanings, and accordingly shall make our reports to the Parliaments of both Kingdoms.

LXII.

The King's Commissioners Reply.

13. February.

CONCERNING the Ordinances for the Calling and Sitting of the Assembly of Divines, and the taking the Covenant, we can give no farther Answer then we have done in our second Paper delivered to your Lordships this day.

LXIII.

Their Answer to the Third.

13. Febr.

WE do conceive your Lordships third Paper is a Denial of our Demands, concerning the *Directory* for publick Worship & the Proposition for Church-Government, against which your Lordships have made no Objection, and your *Queres* are already satisfied by Conference. And we shall accordingly make our reports to the Parliaments of both Kingdoms.

LXIV.

The King's Commissioners Reply.

13. Feb.

OUR expressions in our Answer to your Lordships Demands concerning the *Directory* for publick Worship, import onely what we as yet conceive concerning that matter, there having hitherto been no debate touching the same, or concerning the Common-Prayer-Book now established by Law, and thereby intended to be abolished. And therefore we did in that Paper, and do still desire to receive your Lordships * Objections against the Book of Common-Prayer, and your Reasons for introducing the *Directory*. Neither can our Answer to the Propositions for Church-Government, annexed to your first Paper, be otherwise taken, then as our desire to receive information how that Government should be constituted in particular, & what Jurisdiction should be established, by whom granted, and upon whom it should depend; which *Queres* were not satisfied by any Conference, your Lordships (as we conceive) having declared your selves, that the particular form or model of that Government, mentioned in those Propositions onely in general,

LXV.

* None were made.

were

were not then particularly agreed on ; and we have since desired and expect to receive it : and therefore your Lordships cannot conceive we have denied that which we have not yet seen , nor been informed of.

Their Answer to the Fourth:

13. Febr.

LXVI. **T**O your Lordships Fourth Paper we Answer; The Bill for suppressing of Innovations in Churches and Chappels in and about the Worship of God, &c. and for the better advancement of the Preaching of God's holy Word in all parts of this Kingdom, and against the enjoying of Pluralities of Benefices by Spiritual persons, and Non-residencia, were heretofore presented to His Majesty, and remain with him ; and we herewith deliver to your Lordships the Ordinance for the due observation of the Lord's day, and we insist on our former Demands concerning them. And when your Lordships have given us your full Answers to our desires already with you concerning Religion, we then shall deliver unto your Lordships our Demands concerning Papists, the regulating the Universities, the Education and Marriage of His Majesties Children in the true Protestant Religion, contained in our Paper of the 11. of this instant *February*.

The King's Commissioners Reply.

13. Feb.

LXVII. **W**E have not the Bills here which we desired of your Lordships, in our Fourth Paper, to see, and which you now say were heretofore presented to His Majesty. But we shall take speedy care to have those Bills, if they remain with His Majesty ; and in the mean time desire your Lordships to give us Copies of them , and we shall give your Lordships a speedy Answer ; as we shall to the Ordinance for the due observation of the Lord's Day, which we received from your Lordships this night, and had never before seen : and we shall be ready to receive your Lordships * Demands concerning Papists, the regulating the Universities, the Education and Marriage of His Majesties Children, and shall return our Answers accordingly.

* None at all were delivered in.

*This last Paper concluded the six daies appointed for the Treaty upon Religion, according to the Order prescribed for disposing the first 18. daies of the 20. for the Treaty. In the end of which 18. daies, after some * Papers mutually delivered concerning the manner how the two last daies should be disposed, this Subject of Religion, with the two others, were again resumed, and their Papers following were then delivered in concerning Religion.*

* See these Papers after n. 170, 192, and 193.

Their Paper.

21. Febr.

LXVIII. **W**Hereas your Lordships in your * last Paper of *Feb. 13.* were pleased to say, that (as you conceived) the continual succession of Episcopacy from the Apostles times was consented to on all parts, and that you cannot remember that the contrary thereof was so much as alleged, much less that the Unlawfulness thereof was proved, the Question of the Unlawfulness thereof having never yet come in to debate ; we desire your Lordships to remember, that when a Divine in Commission with you undertook to prove the *Jus Divinum* of Episcopacy, his Arguments were not only answered by another Divine in Commission with us, but that 4 or 5 several

* The Paper intended, is the King's Commissioners Reply to their first Answer, 13. Feb. n. 61.

several Arguments were then brought by him out of the Scriptures to prove the Unlawfulness of it; and afterwards in an extrajudicial Debate between several Divines on both sides, by consent of the Commissioners, those Arguments were further made good by the Divines on our side, and the pretended continual succession of Episcopal Government from the Apostles times was (as we conceive) at the same time sufficiently disproved: so that we cannot but wonder that your Lordships should forget that the Unlawfulness of it was debated. And whereas in your Lordships * last Paper of Feb. 20. you were pleased to say, that if it might be made appear that the Government by Bishops is unlawful, or that the Government which we desire to introduce in the room thereof is the only Government that is agreeable to the Word of God, your Lordships would immediately give us full satisfaction in our Proposition; we desire your Lordships to remember besides what hath been proved in debate concerning the unlawfulness of Episcopal Government, and notwithstanding the general experience that the government by Arch-bishops, Bishops, &c. hath been a hindrance to Reformation and growth of Religion, and prejudicial to the Civil State, and the manifest evidence of the thing it self, that so much of the Government desired by us as hath been presented to your Lordships is agreeable to the Word of God, how we have several times offered ourselves to give your Lordships satisfaction by Conference, if any Objections remained with your Lordships to the contrary, which we are still ready to doe, and desire your Lordships full Answer to that, and the rest of our Propositions concerning *Religion*.

* See the Paper, 20. Feb. after num. 196. being delivered upon another occasi^o.

The King's Commissioners Answer.

21. Febr.

WE did conceive that the continual Succession of Episcopacy from the Apostles times had been so clearly manifested to your Lordships by our Conference on the 12. of this instant, that your Lordships had been fully satisfied therein; the which since you are not, we would gladly be informed when and where any National Church since the Apostles times was without that Government: and since your Lordships are of opinion that the Unlawfulness of Episcopacy was made good by those Arguments which were given by the Divines on your part, which in truth we did not understand to be made to that purpose when they were first urged, and being now again remembred, in our Judgements do not in any degree prove the same, we being very ready to consent to the abolishing thereof if the same can be proved, and your Lordships assuming that you have proved it, and so that you can again prove it; we desire your Lordships by Conference or in writing to satisfie us in that point: which we hope being in your power (as you say) to doe, and being a sure way to put an end to this debate by our yielding, your Lordships will not refuse to doe it. But if neither that, nor the other Proposition, that the Government intended to be introduced by your Lordships is the onely Government that is agreeable to the Word of God, can be evinced, we hope your Lordships will rest satisfied with the Reasons we have given your Lordships in writing, why we cannot consent to your Propositions concerning *Religion* as they are made and insisted on by your Lordships, and that we have offered your Lordships a remedy against all the inconveniences that have been ever pretended in the Government as it is now established by Law, and which ought not upon less Reasons then we have mentioned to be taken away.

Their

LXIX.

Their Reply.

21. Feb.

- LXX. **W**E do not conceive that the continual Succession of *Episcopacy* from the Apostles times hath been at all manifested to us in Conference by your Lordships; and for what your Lordships mention concerning a National Church, it is a new Question, which hath not as yet been any part of the Subject of our Debate. But we desire to bring that to a conclusion which is in issue between us; and not doubting but that your Lordships are fully satisfied that *Episcopacy* is not *Jure Divino*, we are ready by Conference to shew the Unlawfulness of that *Episcopacy* which we desire to take away by our Bill, and that the Government which we propose is agreeable to the Word of God.

In pursuance of this Paper, the most part of the next day, being the last of the Treaty, was spent in Dispute between the Divines; and after, their Commissioners delivered in this Paper.

22. Feb.

- LXXI. **H**AVING the last night given in a Paper unto your Lordships, wherein we signified that we doubted not but that you were fully satisfied that *Episcopacy* was not *Jure Divino*, we are the more confirmed in it, because your Lordships have since that time given us nothing in to the contrary: and we hope we have by clear Arguments from Scripture and Reason this day likewise satisfied you, that the Government by Arch-bishops, Bishops, &c. which we desire to be taken away by this Bill, is unlawful; and that the Government which we desire to be established is agreeable to the Word of God. And therefore we desire your Lordships to agree to the passing of this Bill, and to give us your full and clear Answer to this and the rest of the Propositions concerning Religion.

The King's Commissioners Answer.

22. February.

- LXXII. **A**CCORDING to your Lordships Paper of the last night, we attended your Debate this day concerning the Unlawfulness of *Episcopacy*; but did neither then nor do now acknowledge our selves convinced by any Arguments offered by you, that *Episcopacy* is not *Jure Divino*, the same having been the opinion of very many Learned men in all Ages, (which we do not censure or determine) but not insisted on by us as the ground of any Answer we have delivered to your Lordships: and we are so far from being satisfied with the Arguments from Scripture and Reason this day urged to prove that the Government by Arch-bishops, Bishops, &c. which you desire to be taken away by this Bill, is unlawfull, that the weightiest Arguments which were urged (in our Judgements) concluded at most against those Inconveniences which are remedied by the Alteration offered by us to your Lordships, in our * Paper of the 13 of this moneth; and it seems strange to us that your Lordships should think that Government (without which no National Church hath been since the Apostles times, till within these few years) to be unlawful: and for the Government desired by you to be established, your Lordships have not offered any such particular Form of Government to us that may enable us to judge thereof; and we cannot but observe that the Arguments
produced

* See before,
num. 56.

produced to that purpose, were only to prove the same not unlawful, without offering to prove it absolutely necessary. And therefore we conceive our Answer formerly given to your Lordships concerning that Bill, and your Propositions concerning Religion, is a just and reasonable Answer.

After the first three daies of the Treaty, spent upon the business of Religion, according to the Order formerly prescribed, the Propositions concerning the Militia were next Treated upon the three daies following, beginning the fourth of February, and the same was after resumed the 14. of February for other three daies.

Their Propositions touching the Militia.

4. February.

WE desire that by Act of Parliament the Subjects of the Kingdom of England may be appointed to be Armed, Trained and Disciplined, in such manner as both Houses shall think fit.

LXXIII.

The like for the Kingdom of Scotland, in such manner as the Estates of Parliament there shall think fit.

We desire that an Act of Parliament be passed for the settling of the Admiralty and Forces at Sea, and for the raising of such moneys for maintenance of the said Forces and of the Navy, as both Houses of Parliament shall think fit.

The like for the Kingdom of Scotland, in such manner as the Estates of Parliament there shall think fit.

An Act for the settling of all Forces by Sea and Land in Commissioners to be nominated by both Houses of Parliament, of Persons of known Integrity, and such as both Kingdoms may confide in, for their faithfulness to the Religion and Peace of the Kingdom, of the House of Peers, and of the House of Commons, who shall be removed or altered from time to time as both Houses shall think fit; and when any shall dye, others to be nominated in their places by the said Houses. Which Commissioners shall have power,

1. To suppress any Forces raised without Authority of both Houses of Parliament, or in the Intervalls of Parliaments without consent of the said Commissioners, to the disturbance of the publick Peace of these Kingdoms, and to suppress any Foreign Forces that shall invade this Kingdom: and that it shall be high Treason in any who shall levy any Forces without such Authority or consent, to the disturbance of the publick Peace of the Kingdom, any Commission under the great Seal or other Warrant to the contrary notwithstanding; and they to be incapable of any Pardon from His Majesty, and their Estates to be disposed of as both Houses of Parliament shall think fit.

2. To preserve the Peace now to be settled, and to prevent all disturbances of the publick Peace, that may arise by occasion of the late Troubles.

So for the Kingdom of Scotland.

3. To have power to send part of themselves, so as they exceed not a third part, or be not under the number of to reside in the Kingdom of Scotland, to assist and vote as single persons with the Commissioners of Scotland, in those matters wherein the Kingdom of Scotland is only concerned.

So for the Kingdom of Scotland.

4. That the Commissioners of both Kingdoms may meet as a joynt Committee, as they shall see cause, or send part of themselves, as aforesaid, to doe as followeth:

1. To preserve the Peace betwixt the Kingdoms, and the King, and every one of them.

2. To prevent the violation of the Articles of Peace, as aforesaid, or any Troubles arising in the Kingdoms by breach of the said Articles, and to hear and determine all differences that may occasion the same, according to the Treaty; and to

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doe

doe further, according as they shall respectively receive Instructions from both Houses of Parliament in *England*, or the Estates of Parliament in *Scotland*, and in the Intervals of Parliaments from the Commissioners for the preservation of the publick Peace.

3. To raise and joyn the Forces of both Kingdoms, to resist all Forein Invasion, and to suppress any Forces raised within any of the Kingdoms to the disturbance of the publick Peace of the Kingdoms, by any Authority under the great Seal or other Warrant whatsoever, without consent of both Houses of Parliament in *England*, and the Estates of the Parliament in *Scotland*, or the said Commissioners of that Kingdom whereof they are Subjects. And that in those Cases of joynt Concernment to both Kingdoms, the Commissioners to be directed to be there all, or such part as aforesaid, to act and direct as joynt Commissioners of both Kingdoms.

We desire that the *Militia* of the City of *London* may be in the ordering and government of the Lord Maior, Aldermen and Commons in Common-Council assembled, or such as they shall from time to time appoint, whereof the Lord Maior and Sheriffs for the time being to be three. And that the *Militia* of the Parishes without *London* and the Liberties within the Weekly Bills of Mortality, may be under the command of the Lord Maior, Aldermen and Commons in Common-Council of the said City, to be ordered in such manner as shall be agreed on and appointed by both Houses of Parliament.

We desire that the Tower of *London* may be in the government of the City of *London*, and the chief Officer and Governour thereof from time to time be nominated and removable by the Common-Council.

And that the Citizens or Forces of *London* shall not be drawn out of the City into any other parts of the Kingdom without their own consent; and that the drawing of their Forces into other parts of the Kingdom in these distracted times may not be drawn into example for the future.

After these Propositions made, the King's Commissioners, for their Information concerning these Propositions, gave in several Papers.

The King's Commissioners Paper.

4. February.

LXXIV.

WE conceive the Propositions delivered by your Lordships concerning the *Militia* import very great Alterations in the main foundation of the Frame of Government of this Kingdom, taking by expresse words, or by necessary consequence, the whole Military and Civil power out of the Crown, without any limitation in Time, or reparation proposed. Therefore we desire to know for what term you intend the *Militia* shall be settled in such manner as may be a reasonable and full Security, which we are ready and desirous to give, to preserve the Peace now to be settled, and to prevent all disturbances of the publick Peace that may arise by occasion of the late Troubles. For the better doing whereof, we are ready by Conference to satisfie your Lordships in any particulars.

Their Answer.

4. Feb.

LXXV.

OUR Paper given in to your Lordships concerning the *Militia* doth not contain the Alterations mentioned in your Lordships Answer, but desires that which by the wisdom of the Parliaments of both Kingdoms is judged necessary at this time for the security of His Majesties Kingdoms, and preservation of the Peace now to be settled; and until your Lordships shall declare an assent unto the matter

ter therein expressed, we conceive it will not be seasonable to give any Answer concerning the Time: And we are ready to conferre with your Lordships upon what shall be offered by you to our Paper concerning the *Militia* formerly delivered.

The King's Commissioners Reply.

4. February.

WE are of opinion, that the Propositions in your Lordships Paper contain the Alterations mentioned in the Paper we lately delivered to your Lordships, and take by expresse words, or necessary consequence, the whole Military and Civil Power out of the Crown; which Alterations we are ready to make appear in Debate. And the Alterations being so great, we have reason to desire to know the limitation of Time, the consideration of which makes the Propositions more or less reasonable. LXXVI.

The King's Commissioners second Paper.

4. February.

WE desire to know who the Commissioners shall be in whose hands the Forces by Sea and Land shall be entrusted; and whether you intend His Majesty shall be obliged to consent to such Persons; or whether He may except against them, and name others in their places of known affection to Religion and Peace. LXXVII.

Their Answer.

4. February.

THE Commissioners in whose hands the Forces by Sea and Land shall be entrusted, are to be nominated for *England* by both the Houses of the Parliament of *England*, and for *Scotland* by the Estates of the Parliament of *Scotland*; as is expressed in our Paper formerly delivered to your Lordships concerning the *Militia*. LXXVIII.

The King's Commissioners Reply.

4. February.

WE desire a full Answer to our Paper concerning the Persons to be entrusted with the *Militia*, it being very necessary to know the Persons before consent can be given to the matter; and whether His Majesty may except against any such persons, and nominate others in their rooms, against whom there can be no just exception. LXXIX.

The King's Commissioners third Paper.

4. February.

WE desire to know, whether your Lordships intend that the *Militia* of the City of *London* shall be independent, and not subordinate to those Commissioners in whose hands the Forces by Sea and Land shall be entrusted. LXXX.

Their Answer.

4. Feb.

IT appears by the Propositions concerning the *Militia* of the City of *London*, that the same is to be ordered in such manner as shall be agreed on and appointed by both Houses of Parliament. LXXXI.

The King's Commissioners Reply.

4. February.

LXXXII.

WE desire an Answer to our Paper concerning the *Militia* of the City of *London*, whether the same shall be subordinate to the Commissioners in whose hands the Forces by Sea and Land are to be intrusted; your Lordships Answer, that the same is to be ordered in such manner as shall be agreed on and appointed by both Houses of Parliament (which yet doth not appear by the Propositions) being no Answer to the Question.

The King's Commissioners Paper.

5. February.

LXXXIII.

HAVING with great diligence perused your Lordships Paper concerning the *Militia*, and being very desirous to come to as speedy a conclusion in that Argument as we can; we will be ready to morrow to give your Lordships our full Answer, which we are confident will give your Lordships satisfaction concerning the matter of the *Militia* of this Kingdom.

The King's Commissioners Paper in Answer to the Propositions concerning the Militia.

6. February.

LXXXIV.

TO suppress any Forces that may be raised to the disturbance of the publick Peace of the Kingdom, or that shall invade this Kingdom, and to preserve the Peace now to be settled, and to prevent all disturbances of the publick Peace that may arise by occasion of the late Troubles, and that His Majesty and all His People may be secured from the Jealousies and apprehensions they may have of Danger, we do consent, that all the Forces of the Kingdom, both by Sea and Land, shall be put into the hands of Persons of known faithfulness to the Religion and Peace of the Kingdom, in such manner and for such time as is hereafter mentioned.

That the number of those Persons be Twenty; or if that be not accepted by your Lordships, such greater or lesser number as shall be agreed upon between us; and that His Majesty may name half the persons to be so entrusted, and the two Houses the other half.

That such Forts and Towns in which Garrisons have been before these Troubles, and such other as shall be agreed upon between us to be necessary for a time to be kept as Garrisons, shall be entrusted likewise to persons to be chosen by the Commissioners, or the major part of them, to be subordinate to the said Commissioners, and to receive orders from them and no others: and all other places which have been fortified since the beginning of these Troubles shall be left as they were before, and the Fortifications and Works slighted and demolished; and all Forces with all possible expedition to be disbanded, that the Kingdom may be eased of that intolerable burthen.

That

That an Act of Parliament shall be passed for the raising of such Moneys for the maintenance of the Navy and Sea-Forces, as His Majesty and both Houses shall think fit.

That when any of the said Commissioners shall dye who was nominated by His Majesty, His Majesty shall name another, and when any shall dye of those named by the two Houses, another shall be chosen by them, and in the Intervals of Parliament by the major part of the said Commissioners named by the two Houses; and neither the one nor the other to be removed, but by the joynt consent of His Majesty and both Houses; except it shall be desired by your Lordships, that His Majesty and the two Houses respectively may remove the respective persons named by them as often as they shall see occasion, to which (if it shall be insisted on) we shall consent.

These Commissioners, or the major part of them, or such other number of them as shall be agreed upon, shall have Power by Act of Parliament to suppress any Forces raised sitting a Parliament, without the joynt consent of His Majesty and both Houses of Parliament, or in the Intervals of Parliament, without consent of the said Commissioners, or the major part of them, to the disturbance of the publick Peace of the Kingdom, and to suppress any Forces that shall invade the Kingdom. And it shall be high Treason in any who shall levy any Forces without such Authority or consent, to the disturbance of the publick Peace.

That they shall have like Power to preserve the Peace now to be settled, and to prevent all disturbances of the publick Peace that may arise by occasion of the late Troubles: And if any Forces shall be brought into the Kingdom without the joynt Consent of the King and the two Houses of Parliament, it shall be lawful for any four of the said Commissioners to levy Forces for the suppressing, resisting and destroying of the said Forces so brought in.

We are content that this Power to such Persons shall continue for the space of three years, which we doubt not but, by the blessing of God, will be abundantly sufficient to secure all persons from their Doubts and Fears, and in which time such a mutual Confidence may be begot betwixt His Majesty and all His People, that the Peace will be firm and lasting.

That the Commissioners, before their entrance upon the said Trust, shall take an Oath for the due execution of the said Commission; and that after the expiration of the said term of three years from the time of the issuing the said Commission, they shall not presume to continue any execution of the said Authority, and it shall be high Treason in any of them to execute the said Authority after the expiration of the said three years. And all the Commanders in chief of the Garrisons, Forts, and His Majesties Ships, shall likewise take an Oath for the due execution of their Trust.

That the Commissioners shall have Power to prevent the violation of the Articles of Peace, or any Troubles arising in the Kingdom by breach

of the said Articles, and to hear and determine all differences that may occasion the same.

We shall be willing that any just Privileges and Immunities be granted by His Majesty to the City of *London*, as being the chief City of this Kingdom, and the place His Majesty desires to honour with His most usual and most constant Residence: But we conceive it too envious a thing, and may prove very prejudicial to the Happiness of that great City, to distinguish it in a matter of so high importance as the business of the *Militia* from the Authority that the whole Kingdom is to submit to.

If your Lordships shall not consent to the election of persons in that manner as we have proposed, half by His Majesty and the other half by the two Houses, we do then propose to your Lordships, that the said persons who shall have the said Powers in manner and form above mentioned, may be named by mutual consent upon Debate between us; in which consideration may be taken of the fitness or unfitness of those who shall be named: And in case that any of them who shall be thus agreed upon shall die within the said term of three years, the survivors, or the major part of them, shall nominate and chuse another in his place who shall be deceased. This way we should most have desired, but in regard the consideration of persons may take up a long time in debate, which neither the time allotted for the Treaty nor the present Distractions will permit, we do propose the former as the most expedite and certain way, but leave the election to your Lordships.

And whatsoever shall be found deficient in the settling this according to the present Agreement, or shall be thought fit to be added to it upon any inconveniences or defects that shall be hereafter discovered, the same shall be mended or supplied in such manner as shall be thought reasonable by the joynt Consent of His Majesty and the two Houses of Parliament.

After which the King's Commissioners delivered in this Paper.

6. February.

LXXXV.

WE shall be ready against the time that the *Militia* is again in order to be Treated upon, to give your Lordships an Answer to your Demands concerning the *Militia* of the Kingdom of *Scotland*; the which for the present we have not had time to doe, having wholly spent these three dayes in the perfecting the Paper delivered to your Lordships this day, and the Debates in preparation thereof.

And at the same time their Commissioners delivered in this Paper.

6. Feb.

LXXXVI.

YOur Lordships Paper which we have received so late at the end of the third day appointed to Treat upon the *Militia*, on which we expected a satisfactory Answer to our Demands concerning it, is very far differing from what we have proposed, and unsatisfactory to our just and necessary desires for securing the Peace of the Kingdoms, and wherein we cannot but observe that the Kingdom of *Scotland* is wholly omitted.

omitted. We do therefore insist upon our Paper formerly delivered concerning the *Militia*, and desire your Lordships full and clear Answer, being ready by Conference to remove all Objections which may be made to the contrary.

The King's Commissioners Answer thereupon.

6. February.

WE conceive the Paper delivered by us to your Lordships, may justly satisfy your Lordships for the securing the Peace of this Kingdom against all Forces that may any wayes endanger it at home or from abroad, and for securing the performance of all things that shall be agreed in this Treaty; and we are ready by Conference to make the Reasonableness thereof appear, and to receive any Reasons from your Lordships to the contrary. And as touching Scotland, we hope your Lordships will be satisfied by the last Paper we delivered to you. LXXXVII.

Their Paper.

6. Feb.

IN our last Paper we insisted upon our former Demands for the *Militia*, and offered by Conference to satisfy your Lordships of the Reasonableness of them, if any Doubts remained with you to the contrary, which we are still ready to doe, they being the proper Subject of this part of the Treaty. And whereas your Lordships have in your Paper referred what concerns the Kingdom of Scotland unto another time, and seem to intend it a several Answer; both Kingdoms being united in the same Cause, and under the same Danger, and mutually providing for the joynt Safety and Security of both and each other, our Propositions are joyntly made by both, and are inconsistent with a divided Answer. LXXXVIII.

The King's Commissioners Answer.

6. Feb.

WHEREAS your Lordships have offered in your last Paper to satisfy us by Conference of the Reasonableness of your Demands, if any Doubts remain with us to the contrary: we desire to receive satisfaction by Conference, that it is reasonable for us to grant the nomination of the Persons by the two Houses onely, and that the Time ought not to be limited. LXXXIX.

Their Paper:

6. Feb.

AS we have given to your Lordships our Propositions for the *Militia* of both Kingdoms in writing, so do we again desire your Lordships full and clear Answer to them both in writing, and we are ready to answer any Doubts you shall make upon them in order as we delivered them, and as they do relate to both Kingdoms; but we cannot Treat upon your Lordships Answer which divides them. XC.

The three first dayes allotted for the Treaty upon the Militia being spent, and that Subject resumed upon Friday the 14, Saturday the 15, and Monday the 17 of February, in those dayes divers Papers were delivered, and some Debates had touching the nomination of the Persons who were to be intrusted with the Militia, whether they should all be nominated by the two Houses only; and touching the Time, how long they should have it, and whether the same should be unlimited, as it was in the Propositions, or be limited

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ted to a certain time; as likewise concerning the Powers of the English and Scottish Commissioners for the Militia, which are so intermingled in the Propositions, that it was not well understood upon the Propositions how far the Commissioners of one Kingdom and their Power might extend unto and have influence upon the other, and the one upon the Government of the other; and concerning some other Passages having relation to the Militia: which would be intricate, if they should be set down in the order of time as they were delivered. And because sometimes divers Papers were delivered together, therefore they are here placed according to their distinct matters. And first touching the Nomination of Persons, and limitation of the Time,

The Kings Commissioners delivered in this Paper.

14. Febr.

XCI.
* See num. 84.

* See num. 86
& 88.

IF your Lordships are not satisfied with the * Papers delivered to your Lordships by us on the 6. of February, concerning the Militia as farre as the same concerns this Kingdom, we desire, according to your Lordships offer in your * first and * second Paper delivered to us the sixth of February, that your Lordships will satisfie us of the Reasonableness of your Demands, and that the nominating of the Persons ought to be by the two Houses onely, and that the time ought not to be limited.

Their Answer:

14. Feb.

XCII. **B**Y your Lordships Paper received this day, we apprehend your desire to proceed in the Treaty upon the Propositions for the Militia as far as the same concerns this Kingdom, without any mention of the Kingdom of Scotland. In Answer whereunto, we referre your Lordships to a former Paper of the 6. of February instant, whereby we desired your full and clear Answer to our Propositions for the Militia of both Kingdoms, in order as we have delivered them, and as they do relate to both Kingdoms, and that we could not Treat upon your Lordships Answer which divides them. We still insist on that Paper, and when your Lordships shall be pleased to give an Answer thereunto, we shall be ready to clear any Doubts which may remain with your Lordships.

The King's Commissioners Reply.

14. Feb.

XCIII.

WE do desire to proceed in the Treaty upon the Propositions for the Militia as the same concerns both Kingdoms joyntly, as well as either of them severally, neither is the contrary expressed (as we conceive) in the Paper delivered by us to your Lordships this day: but we cannot reasonably answer to them as they concern one or both Kingdoms, before we receive satisfaction from your Lordships of the Reasonableness of your Demands, which your Lordships were pleased to promise us by two of your Papers of the sixth of February, and which we again desire of your Lordships, concerning the Persons and the Time; conceiving it unreasonable that all the Persons shall be nominated onely by the Houses, and that the Time should be unlimited.

Their Answer.

15. Febr.

XCIV.

WE have formerly desired your Lordships Answer to the Propositions for the Militia in order as we delivered them, and as they do relate to both Kingdoms,

doms, and not to give any Answer which shall divide them. Yet we observe in the matter of your Lordships * third Paper yesterday received, that you desire satisfaction in the particulars there mentioned as the same concern the Kingdom of *England* only, in pursuance of a former Paper given in by your Lordships the 6. of *February*. We therefore again desire as formerly, that such Answer as your Lordships shall think fit to make to our Propositions concerning the *Militia*, may be applied to both Kingdoms joyntly; and then we shall be ready by Conference to clear any Objections which your Lordships shall make against the Reasonableness of our Demands.

* See the Paper intended, n. 91.

The King's Commissioners Paper.

15. *February*.

WE desire that your Lordships will satisfy us of the Reasonableness of your Demands concerning the settling the *Militia* of both Kingdoms, and that the nominating of the Persons ought to be by the two Houses of Parliament, and the like for the Kingdom of *Scotland*, and that the Time ought not to be limited. XCV.

Their Paper.

15. *Feb.*

Your Lordships Demand in your * 4. Paper being made concerning the *Militia* of both Kingdoms, we are ready upon Conference to give satisfaction to what your Lordships shall object against the nominating of the Commissioners by the two Houses of the Parliament of *England*, and the Estates of the Parliament of *Scotland* respectively, or against the Time for which the *Militia* is demanded in the Propositions. XCVI.
* The precedent Paper.

After some time spent in Conference for Limiting the Time, wherein the Debate was touching the unreasonableness of the Demand, for taking from the King the Power of the Militia, and settling it in Commissioners to be nominated by the two Houses, not limited to any Time, the King's Commissioners gave in this Paper.

15. *February*.

WE desire to know whether your Lordships can by your Instructions consent to a limitation of Time in the settling the *Militia*, or whether you must insist that the Time be unlimited. XCVII.

Their Answer.

17. *Feb.*

IN Answer to your * sixth Paper of the 15. of this instant concerning the limitation of Time in the settling of the *Militia*, we do insist that the Time be unlimited, according to our former Demands. XCVIII.
* The next precedent Paper.

The King's Commissioners Reply.

17. *Febr.*

After so long Debate between us concerning the limitation of Time in the settling of the *Militia*, (in which we conceived your Lordships had been satisfied, that as it is no way necessary for the security of the observation and performance of the present Agreement that the Time should be unlimited, so in respect of other considerations it may be very mischievous that it should be unlimited) we had great reason to desire XCIX.

to

to know whether your Lordships had any power by your Instructions to consent to a limitation of Time, and are sorry that your Lordships will not give us an Answer to that Question, that thereupon we might have endeavoured to have given your Lordships other satisfaction then by not knowing your power therein we are enabled to doe.

Their Paper.

17. Feb.

- C. **W**E conceived that after so long a Debate between us, your Lordships would have been satisfied, that it was most fit concerning the settling the *Militia*, for the Time to be unlimited, as we have formerly desired, and which by our Instructions we are to insist upon.

They also delivered in this Paper.

17. Feb.

- CI. **W**E desire a full and clear Answer to what we have delivered to your Lordships concerning the *Militia*, and to know whether your Lordships be limited by any Instructions or Directions what to grant or deny in the same, and that we may have a sight of such Instructions or Directions.

Their Answer.

17. Feb.

CII.
* The Paper after n. 128. was delivered with this.

WE do * herewith deliver to your Lordships such a full and clear Answer to your Propositions concerning the *Militia*, as we hope will give your Lordships satisfaction, being such as, upon the Conference and Information we have received from your Lordships, seems to us to be most reasonable.

It appeareth by our Commission, whereof your Lordships have a Copy, that it hath not any reference to any Instructions. It is true, that as we have (according to our Duty) from time to time acquainted His Majesty with our proceedings, so in some particular cases we have desired to be assisted with His Majesties Opinion; but what Answers we have therein received from His Majesty, we conceive it not proper for us to communicate to your Lordships, nor have we any warrant so to doe.

Their Reply.

17. Feb.

- CIII. **W**E again desire of your Lordships, to know whether you be limited by any Instructions or Directions what to grant or deny unto us concerning the *Militia*, and that we may have a sight of such Instructions or Directions, and which we conceive your Lordships in Justice and Reason cannot deny, seeing by your Papers and Debates you insisted, that it was just and reasonable for us to let you know whether we had any power by our Instructions to consent to a limitation of Time, which we did accordingly. And your Lordships seventh Paper this day delivered gives no Answer or satisfaction to our former Demand herein.

The

The King's Commissioners Answer.

17. Feb.

WE conceive it was just and reasonable for us to demand of your Lordships, whether you had power by your Instructions to consent to a limitation of Time concerning the *Militia*, because the Time is left indefinite, and not expressed in the Propositions. And your Lordships Commission, which gives you power to Treat, relating to Instructions, they are thereby part of your Power: and yet your Lordships to that our Demand have given no other Answer then, That by your Instructions you were to insist to have the Time unlimited; but have not answered whether you had power to consent to a limitation of Time. And we desire your Lordships to remember, that formerly upon our desire to see your Instructions, that thereby we might see what Power was granted to you, by your * Paper of the last of *January* your Lordships did answer, it was that for which you had no warrant; and it appearing to your Lordships that our Commission hath no reference to Instructions, we conceive that your Lordships cannot expect any other Answer then we have already given to your Lordships Demand touching any Instructions or Directions to us, what to deny or consent to grant in the *Militia*, assuring your Lordships, that we shall not deny, but willingly consent, to grant whatsoever shall be therein requisite for a full security for observing the Articles of the Treaty, or otherwise agreeable to Justice or Reason.

CIV.

*See before n. 16.

*Touching the Power which should be given to the Commissioners for the Militia;
The King's Commissioners Paper.*

14. Feb.

WE desire to know what Authority the Commissioners nominated by the Estates of the Parliament of *Scotland* are to have in the *Militia* of this Kingdom, and what influence the Orders and Advice from the Estates of the Parliament there shall have upon this Kingdom, and how farre the same is to be consented or submitted to here.

CV.

Their Answer.

14. Feb.

Your Lordships Desire expressed in your second Paper this day, may be fully satisfied by the Propositions concerning the *Militia*, where the Authority of the Commissioners to be nominated is clearly expressed, both in cases of severall and of joynt concernment of the Kingdoms; and if upon perusal thereof any Doubts shall occurre to your Lordships, we are ready by Conference to clear the same.

CVI.

The King's Commissioners Paper.

15. February.

WE do not conceive that the Authority of the Commissioners of both Kingdoms, and in both Kingdoms, is clearly expressed in your Lordships Propositions, and therefore we desire to be informed, whether your Lordships intend that the Commissioners of *Scotland* shall have any Power in the settling of all Forces by Sea and Land in this Kingdom, and what Authority they shall have.

CVII.

Their

Their Paper.

15. Feb.

- CVIII. **W**E do conceive that the Authority of the Commissioners of both Kingdoms, and in both Kingdoms, is clearly expressed in our Propositions; by which it doth appear how they are to act as several, or as joynt Commissioners. And if your Lordships shall propound any Objections against our Propositions concerning the *Militia* of both Kingdoms, we are ready upon Conference to give your Lordships satisfaction.

The King's Commissioners Paper.

15. February.

- CIX. **W**E desire to know, whether in that part of the Proposition wherein the Commissioners of both Kingdoms are appointed to meet as a joynt Committee, and to receive Instructions in the Intervalls of Parliament from the Commissioners for the preservation of the publick Peace, your Lordships mean the Commissioners to be nominated according to these Propositions, or the * Commissioners intended by the Act of Pacification, or what other Commissioners; and what Jurisdiction you intend the said Commissioners of both Kingdoms shall have, by the power given them to hear and determine all differences that may occasion the breach of the Articles of the Peace, according to the Treaty, and by what Law they shall proceed to hear and determine the same.

* See the printed Act.

Their Answer.

15. Feb.

- CX. **W**E intend that the Commissioners are to be nominated according to the Propositions, and are to proceed in such manner as is therein expressed: and if your Lordships shall make any Objections hereupon, we are ready by Conference to give you satisfaction.

Their further Answer.

15. Febr.

- CXI. **F**OR further answer to your Lordships second Paper, we conceive that the matter of the Jurisdiction to be exercised by the Commissioners is expressed in the Proposition; and for the manner of exercising that Jurisdiction, and by what Law they shall proceed to hear and determine, the same are to be settled by the two Houses of the Parliament of *England*, and the Estates of the Parliament of *Scotland* respectively.

The King's Commissioners Paper.

15. February.

- CXII. **W**E desire to receive a perfect and full Answer from your Lordships to our *first and *second Papers, delivered by us this morning to your Lordships, and whether your Lordships intend, that the Commissioners of *Scotland* shall have any Power and Authority in the settling of all Forces by Sea and Land in this Kingdom, and what Authority they shall have; and whether the Advice or Orders of the Estates of the Parliament

* See n. 107, & 109, & n. 105.

ment of *Scotland* shall have any influence upon the affairs of this Kingdom, or the Commissioners to be named according to these Propositions, otherwise then as the said Advice or Orders shall be approved and confirmed by the two Houses of Parliament of *England*; and what Jurisdiction you intend the Commissioners shall have who are to determine all differences that may occasion the breach of the Articles of Peace; and by what Law or Rule they shall proceed, try and judge, in the hearing and determining the same. And it is most necessary for us to desire satisfaction from your Lordships to these particulars in writing, since the Answer we shall give to your Lordships upon so much of your Propositions, will very much depend upon our clear understanding your Lordships in these particulars, it being agreed between us, that nothing shall be binding or taken as agreed upon but what shall be in writing on either part.

Their Answer.

17. Febr.

WE conceive there is a full Answer already given by us in * several Papers of ^{CXIII.} the 14. of this instant to the former parts of your Paper delivered in on the ^{See the Papers intended, n. 92. & 106.} 15. day; and to the latter part, what Jurisdiction the Commissioners shall have who may determine all differences that shall be by breach of the Articles of Peace, and by what Law and Rule they shall proceed to hear and determine, the same is clearly set down in our * further Answer, of the 15. of this instant, to your second Pa- ^{n. 111.} per delivered in to us the day before.

The King's Commissioners Answer thereunto.

17. February.

WE had great reason to desire a perfect and full Answer from your ^{CXIV.} Lordships to our first and second Papers, delivered by us to your Lordships on the 15. of Feb. and we desire your Lordships to consider how difficult a thing it is for us, to give your Lordships a satisfactory Answer to your Propositions as they relate to either or both Kingdoms, or to the Power of the Commissioners of both Kingdoms, as they are to be a joynt Committee to hear and determine all differences, according to Instructions from both Houses of Parliament of *England*, or the Estates of the Parliament of *Scotland*, before your Lordships are pleased to inform us, whether you intend the Commissioners of *Scotland* shall have any Power or Authority in the settling all Forces by Sea and Land in this Kingdom, and what Authority they shall have; and whether the Advice, Instructions, or Orders of the Estates of the Parliament of *Scotland*, shall have any influence upon the affairs of this Kingdom, or the Commissioners to be named according to those Propositions, otherwise then as the said Advice, Instructions, or Orders shall be approved and confirmed by the two Houses of Parliament of *England*; and what Jurisdiction you intend the Commissioners shall have who are to determine all differences that may occasion the breach of the Articles of the Peace; and by what Law or Rule they shall proceed, try and judge, in the hearing and determining the same. In all which particulars we
(S f) are

are very sorry that we can receive no Answers from your Lordships, for want whereof we may fail in giving your Lordships so satisfactory Answers to your Propositions, as otherwise we might be enabled to do.

Their Reply.

17. Feb.

- CXV. **I**T is clearly expressed in our Propositions delivered to your Lordships, that all Forces by Sea and Land in this Kingdom are to be settled by the two Houses of the Parliament of *England*, and in the Kingdom of *Scotland* by the Estates of the Parliament there; and we conceive that the Advice, Instructions or Orders of either Kingdom are to have no influence upon the affairs of the other, but such as is and shall be mutually agreed upon by the two Houses of the Parliament of *England*, and the Estates of the Parliament of *Scotland*; and for the Jurisdiction of the Commissioners, and by what Law or Rule they shall proceed, we have given your Lordships a full and clear Answer thereunto, in our 5^{*} Paper of the 15. of *February*.

^{*} See before, n. 111.

The King's Commissioners Paper.

17. Feb.

- CXVI. **I**N the twelfth Proposition your Lordships desire an Act to be passed for confirmation of the late Treaty, for the settling of the Garrison of *Berwick*, of the 29. of *Novemb.* 1643. which relating to the business of the *Militia*, we hold it necessary to see, before we can make our full Answer upon the whole, and desire it accordingly of your Lordships.

Their Answer.

17. Feb.

- CXVII. **A**S for what concerns the Act for Confirmation of the late Treaty, and for settling the Garrison of *Berwick*, it is not now to be Treated upon, but is reserved to its proper time.

The King's Commissioners Paper.

17. February.

- CXVIII. **W**E desire to know, whether by the joynt Power mentioned in your Lordships Propositions to be given to the Commissioners for both Kingdoms, to preserve the Peace between the Kingdoms, and the King, and every one of them, your Lordships do intend any other then Military power for suppressing Forces onely, which is expressed after in a distinct Clause by it self; and if your Lordships do intend any further Power, that your Lordships would declare the same in certainty and particular.

Their Answer.

17. Feb.

- CXIX. **W**E conceive the Power of the Commissioners mentioned in the 17. Proposition is there fully expressed, to preserve the Peace betwixt the Kingdoms, to prevent the violation of it, or any Troubles arising in the Kingdoms by breach of the Articles, and to hear and determine all differences which may occasion the same, according to the Treaty, and to raise Forces to resist Forein Invasion, and suppress intestine Insurrections; as is more at large set down in the Proposition, to which we referre your Lordships.

The

The King's Commissioners Paper.

17. February.

WE desire to know, whether the Commissioners of both Kingdoms meeting as a joynt Committee, the Commissioners of each Kingdom shall have a Negative voice, so as nothing can be done without their joynt consent in matters of joynt concernment; and how and by whom it shall be decided, what are cases of joynt concernment to both Kingdoms. CXX.

Their Answer.

17. Febr.

IN all matters of joynt concernment, the Commissioners of both Kingdoms are to act joyntly; and when they shall meet as a joynt Committee upon such matters of joynt concernment, the Commissioners of each Kingdom are to have a Negative voice: and in doubtful cases, not expressed in the 17. Proposition to be of joynt concernment, where the Commissioners cannot agree whether or no they be of joynt concernment, they are to represent them to the two Houses of Parliament of *England*, and the Estates of the Parliament of *Scotland* respectively, to be by them determined, if they be sitting; and in the Intervalls of Parliament, if the cases be such as cannot without prejudice to both or either Kingdom admit of delay, we conceive the Commissioners of each Kingdom are to act severally, and to be accomptable for it to the two Houses of Parliament of *England*, and the Estates of the Parliament of *Scotland* respectively, at their next sitting. CXXI.

The King's Commissioners Paper.

17. February.

WE desire to know, whether by the Propositions for settling the Forces in Commissioners to be nominated by both Houses of Parliament, such as both Kingdoms may confide in, your Lordships do intend, that the Estates of the Parliament of *Scotland* shall approve or except against the Commissioners to be nominated for the Kingdom of *England*, both at present, and from time to time, as the Commissioners shall die, or be removed, or altered. CXXII.

Their Answer.

17. Febr.

WE conceive it to be plain by the Proposition it self, that the Commissioners of both Kingdoms are respectively to be nominated by the Parliaments of either Kingdom, and neither Parliament hath power to except against or approve the persons chosen by the other; and we are confident there will be no cause of exception, but who are chosen by either will be such as both may confide in. CXXIII.

The King's Commissioners Paper.

14. Feb.

WE desire to know, whether your Lordships intend by your Proposition concerning the settling of the Admiralty of *Scotland* by Act of Parliament, to alter the inheritance of any person which is already settled by the Laws of that Kingdom. CXXIV.

The Admiralty is an office of Inheritance in *Scotland*, & settled by Act of Parliament.

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Their

Their Answer thereunto.

15. February.

- CXXV. **T**O your Lordships fourth Paper of the 14. of *Feb.* it is answered, that by our Propositions for settling the Admiralty of *Scotland* by Act of Parliament, it is intended that the Admiralty and Forces at Sea, &c. shall be settled in such manner as the Estates of Parliament there shall think fittest for the safety and security of that Kingdom. And as touching the inheritance of any person which is already settled by the Laws of that Kingdom, the Estates of Parliament will doe that which is agreeable to Justice.

The King's Commissioners Paper.

15. Feb.

- CXXVI. **W**E desire to know whether the Papers delivered to us touching the *Militia* contain all your Lordships Propositions touching the *Militia* of *England* and *Scotland*: and if they do not, that your Lordships will deliver the rest, that we may make our Answers upon the whole.

Their Answer.

15. Feb.

- CXXVII. **W**Hatsoever is contained in the Propositions concerning the *Militia* of *England* and *Scotland*, is delivered in to your Lordships, except the 23. Proposition, and the last Article in the 26. Proposition, which are reserved for their proper place.

After all these Passages, the King's Commissioners delivered in this Paper, in further Answer to their Propositions concerning the Militia.

17. February.

CXXVIII.
* num. 84.

- W**E had no purpose in our * Answer delivered by us to your Lordships on the sixth day of *February*, to divide our Answers concerning the *Militia* of the two Kingdoms otherwise then in point of time, and till we might receive satisfaction from your Lordships concerning the Powers to be given to the Commissioners of both Kingdoms, and the other particulars mentioned in our Papers since delivered to your Lordships, wherein we are not as yet satisfied by any Papers delivered by your Lordships to us. Our further Answer to those Propositions concerning the *Militia* is, That we are willing and do agree, that the like course shall be taken and observed touching the *Militia* of the Kingdom of *Scotland* as is offered in our said Paper of the sixth of *February*, and as shall be hereafter agreed on for the Kingdom of *England*, which we conceive to be a full security for the performance and observation of all Articles which shall be agreed upon between us in order to a blessed Peace; which we are so desirous may be punctually and exactly observed, that we are willing that His Majesty be desired to take a most solemn strict Oath for the full observation thereof; and likewise that all persons of any immediate trust by office or attendance on His Majesty, and any other whom you shall think fit, shall take such Oath for the due observance of the same, with such reasonable Penalties, as shall be proposed by your Lordships, and agreed to by us: in which we believe

believe we shall not differ with your Lordships, being willing that who-
soever shall in the least degree infringe the Agreement which shall be
made between us, may be looked upon and accounted as most pernicious
Enemies to King and Kingdoms. And if it shall be thought necessary to
make any additional settlement of the *Militia*, with a general reference to
the good of the Kingdoms respectively, we desire the same may be
done, after the Peace established, by the joynt consent of His Majesty and
the two Houses of Parliament in *England*, and His Majesty and the Estates
of the Parliament of *Scotland*, respectively. And as we shall desire and
endeavour to remove all occasions that may interrupt the Peace and
Tranquillity of that Kingdom, and a perfect Amity with them, and shall
not desire any change of, or to intermeddle in their Laws or Government,
or give them cause to apprehend any disturbance or violation of them
from this Kingdom; so are we obliged with all tenderness to preserve
the Honour, Dignity and Constitution of this Realm. And therefore as
we are yet satisfied, we cannot consent that any persons authorized by the
Estates of the Parliament of *Scotland*, or any Advice from thence, shall
have any influence upon the *Militia* of this Kingdom, or further inter-
pose in the affairs of this Kingdom then is already provided by the Act
of Pacification. And we offer to your Lordships considerations, whether
unless there could be an union of the Laws of both Kingdoms, such a
mixture of Power as is now proposed, and the influence thereof both up-
on Martial and Civil affairs, may not prove very inconvenient and pre-
judicial to both Kingdoms, and give cause of Jealousies to each other, to
the disturbance of that mutual Amity so much desired. But if this in-
termingling of Power in both Kingdoms shall be further insisted on by
your Lordships, we propound that the same may be settled as (after a
Peace established) shall be agreed by the joynt consent of His Majesty
and both Houses of Parliament of *England*, and of His Majesty and the
Estates of the Parliament of *Scotland*: and if your Lordships shall insist
on any thing further for necessary Security, we shall apply our selves to
the consideration thereof, if we shall have further time so to doe, accor-
ding to our desires grounded upon His Majesties Letter.

Their Paper.

17. Febr.

WE do conceive that we have in our former Papers punctually satisfied your
Lordships in all you desired to know concerning the Powers of the Commis-
sioners of both Kingdoms, and the other particulars mentioned by your Lordships:
and what your Lordships now offer concerning the *Militia* of the Kingdom of *Scot-*
land, that the like course shall be taken in it as is expressed in your Lordships Paper
of the 6. of *Feb.* to be observed for the *Militia* of this Kingdom, your Lordships may re-
member, that in our Answer to that Paper we told your Lordships it was differing from
what we had proposed, and unsatisfactory to our just and necessary desires for securing
the Peace of the Kingdoms; and it cannot be expected that what was so then for the
Kingdom of *England*, should now be thought other for the Kingdom of *Scotland*.
And though both Kingdoms be now united in the same Cause, and labouring under
the same Dangers, and therefore necessitated to a mutual and reciprocal Assistance

CXXIX.

(S f 3)

of

of each other, had proposed a joynt remedy and security by that Commission desired in our 17 Proposition; we find your Lordships say, that (as yet you are satisfied) you cannot consent unto it. To which we answer, That we believed we had given your Lordships such convincing Reasons as might have satisfied you, and we doubt not but they may, if you will recollect your memories concerning them, and rightly weigh them. This being the last day we are to Treat upon this Subject, it cannot be expected, and, as we conceive, it is altogether needless to use any more Arguments; we do therefore desire your Lordships will be pleased now at the last to give us your full and positive Answer to our Demands, as we have often already pressed your Lordships. And whereas your Lordships do propound, that if we shall further insist upon the uniting of the Powers of both Kingdoms, it may be done after the Peace established; we desire your Lordships to consider, that it is demanded by us in order to a Peace, and a chief and most necessary means for the attaining and establishing of it. And we further observe, that your Lordships have given us no Answer at all to our 15 Proposition; which we do likewise insist upon, and desire your Answer.

The King's Commissioners Answer.

17. February.

CXXX. **I**F your Lordships had punctually, or in any degree, satisfied us in what we desired to know concerning the Powers of the Commissioners of both Kingdoms, and the other particulars mentioned by us, we had not troubled your Lordships with so many Questions, to most of which we could receive no other Answers, then the referring us to the Propositions themselves upon which we grounded our Questions. And we conceive that your Lordships Propositions upon the *Militia*, upon which you still insist, have in truth appeared upon Debate to be most unreasonable in many particulars: As that the Persons to be entrusted with the *Militia* should be nominated onely by the two Houses, and that His Majesty, who is equally to be secured that the Peace should not be broken, should name none; that the Power given to the Commissioners shall be framed and altered as occasion serves by the two Houses onely, and that His Majesty, who is so much concerned therein, shall have no Negative Voice as to such Powers, but is absolutely excluded; and that the Time should be unlimited, so that His Majesty for Himself and His Posterity should for ever part with Their peculiar Regal Power of being able to resist their Enemies, or protect their good Subjects, and with that undoubted and never-denied Right of the Crown, to make Warre and Peace, and in no time to come His Majesty or His Posterity should have power to assist their Allies with any supplies of Men, though Voluntiers, or ever more to have any Jurisdiction over Their own Navy or Fleet at Sea, and so consequently must loose all estimation and confidence with Foreign Princes. And many other expressions in the said Propositions do either signifie what we finde your Lordships do not expect or intend, or at least are so doubtfull, that the clear sense thereof is not evident to all understandings: As by the literal sense of your Propositions, neither the Sheriffs of Counties nor Justices of Peace and other Legal Ministers may raise Forces by the *Posse Comitatus* or otherwise to suppress Riots, and remove forcible Entries, or to perform the

the other necessary Duties of their places, without being liable to the interpretation of the Commissioners for the *Militia*, that such Forces are raised or Actions done for the disturbance of the publick Peace; as likewise all Civil Actions and Differences may be comprehended within those Propositions to be tried before the said Commissioners: neither of which we believe your Lordships intend should be.

And therefore we have in our Answers proposed what we thought would be agreeable to the matter and end of those Propositions, that is, a reasonable and full Security for the observation of the Articles of the Treaty, which, according to what we have offered, cannot be broken on either part, without evident prejudice and danger to that part which shall endeavour the breaking thereof; and that the memory of these unhappy Distractions may be forgotten as soon as may be, that the time of this settlement may be limited to three years, which, by the blessing of God, will be sufficient to beget a good understanding between His Majesty and all His People; and that the Fifteenth Proposition, and all the other parts of your Lordships Propositions, being not at all necessary to the present Union and Reconciliation, may be deferred till after the Peace established, to be settled by His Majesty and the two Houses of Parliament in *England*, and His Majesty and the Estates of the Parliament in *Scotland*, respectively. But if your Lordships shall not think this way of nomination of Persons to be Commissioners, or the other proposed likewise by us in our Paper of the sixth of *February*, for the agreement of the Commissioners between your Lordships and us, to be equal; we shall gladly receive any more equal way from your Lordships, since it is apparent that that already proposed by your Lordships, and which you insist upon *in terminis*, is not fit to be consented to for the Quiet and Peace of the Kingdom, presuming that you will think the Security ought to be mutual, as the Fears and Jealousies are mutual. And we are most confident that His Majesty so much desires to give all reasonable and fit security on His part, that the Agreement and Peace to be now made shall be inviolably observed: that as He will name no man for this great Trust against whom there can be just Exception, (if the Persons are named equally between Him and you;) so if the whole nomination were left to Him, He would pitch onely upon such as both Kingdoms might have great cause to confide in, and we believe might give full satisfaction to your Lordships. And therefore we hope your Lordships will believe that the Reason we consent not to your Propositions is, because we conceive them destructive to the End for which they are proposed, Justice, Peace and Unity; and not that we deny to consent to any reasonable Security for observance of the Agreement to be made, of which we will alwayes be most tender, with regard to all persons concerned.

This was the last Paper delivered in the last of the six daies touching the Militia; but that being taken up again in some part of the two last dayes of the Treaty, as those of

(Sf 4)

Religion

Religion and Ireland also were, their Commissioners upon the breaking up of the Treaty, about two of the clock in the morning after the 22. of February, gave in a Paper intended for an Answer to this Paper, which nevertheless relates to the Paper here next following, delivered by them the 21. of February, mentioning a limitation of time for seven years, and for that cause is herein set down after that Paper, and as their last of that Subject: and the Papers upon that Subject delivered in the mean time, in the two last dayes, are these following.

Their Paper.

21. Feb.

CXXXI. **W**Hereas your Lordships have in several Papers much insisted, that the Commissioners mentioned in the 17. Proposition should be for a limited Time, that your Lordships might better give a full Answer to our desires concerning the *Militia*; though we conceive the Reasons we have given might have satisfied your Lordships for the Time to be unlimited, yet to manifest our earnest desires of Peace, we propose to your Lordships, the Time for the said Commissioners to be for seven years from the time of the passing the Act for the *Militia*: and that after the expiration of such term, the *Militia* of the Kingdom to be settled and exercised in such manner as shall be agreed upon by His Majesty and the two Houses of the Parliament of *England*, and by His Majesty and the Estates of the Parliament of *Scotland*, respectively, and not otherwise.

At the same time the Scotch Commissioners, from themselves apart, delivered in this Paper, signed by their own Secretary only, all the other Papers being signed by two Secretaries, for the English and Scotch Commissioners.

21. Feb.

CXXXII. **W**E the Commissioners of the Parliament of *Scotland* do declare, that our Consent to the Paper given in this day, concerning the limitation of the Power of the *Militia* in Commissioners, according to the 17. Proposition, to continue for seven years from the time of the passing of the Act for the *Militia*, and after the expiration of that term, to be settled in such manner as shall be agreed upon by His Majesty and the two Houses of the Parliament of *England*, and by His Majesty and the Estates of the Parliament of *Scotland*, respectively, and not otherwise, is to be understood as followeth; That we will represent the same to the Estates of the Parliament of *Scotland* or their Committees, to which we are confident they will assent, as that which is conceived to conduce to a happy Agreement, and settling of a firm and blessed Peace.

The King's Commissioners Answer.

22. Febr.

CXXXIII. **W**E have hitherto conceived, that this Treaty hath been betwixt us that are appointed Commissioners by His Majesty, and your Lordships the Commissioners from the two Houses of the Parliament of *England*, and your Lordships the Commissioners of the Parliament of *Scotland*, joyntly, and not severally: but finding that your Lordships the Commissioners of the Parliament of *Scotland* have delivered to us a distinct Paper, signed onely by your Secretary, of the twentieth of Febr. concerning the *Militia*, and that not concurring with the other joynt Paper delivered and subscribed by both your Secretaries upon that Subject that day; we desire to know whether the Commissioners of the Parliament of *Scotland* have a negative voice, or have not power

power to conclude, without farther power to be granted from the Estates of the Parliament of *Scotland*, and expect in this Treaty to be severally Treated with. And after your Lordships Answer to this Paper, we shall be able to give your Lordships a farther Answer to your joynt Paper of the 20. of *February*.

Their Paper.

22. *February*.

THE Treaty is betwixt us that are the Commissioners of the Parliaments of both Kingdoms joyntly, and not severally; and your Lordships the Commissioners from His Majesty, and the Commissioners of the Parliament of *Scotland*, did joyn with the Committees of the two Houses of the Parliament of *England*, in giving in the other joynt Paper concerning the *Militia* delivered yesterday, subscribed by both Secretaries: but seeing it contains an alteration, limiting the Time to seven years, which in the former Propositions agreed to by both Parliaments is indefinite, they did declare, that they are confident the Parliament of *Scotland* will assent thereto, and they have shewed your Lordships sufficient Power to conclude any thing by them agreed unto. CXXXIV.

The King's Commissioners Paper.

22. *February*.

WE cannot rest satisfied with your Lordships Answer to our Paper delivered to you this day, concerning your Lordships the Commissioners of the Parliament of *Scotland*, it being indeed but a repetition of your Lordships Paper, and no Answer to ours thereupon; and it being very necessary for us to know, whether the Commissioners of the Parliament of *Scotland* have a negative voice, and whether they have not power to conclude without farther powers to be granted from the Estates of the Parliament of *Scotland*: upon the Answer to which we must the rather insist, because your Lordships last Paper gives the reason of the distinct Paper delivered to us from the Commissioners of the Parliament of *Scotland* to be, because the limitation of Time now offered differs from the Propositions agreed on by both Parliaments, in which the Time is indefinite; which seems to us to intimate, that your Lordships who are the Commissioners from the Parliament of *Scotland*, have not power to consent to any alteration from the said Proposition without first acquainting the Parliament of *Scotland*, although the other joynt Paper delivered upon that Subject be signed by both your Secretaries; and thereby it is evident, that it much concerns us to know whether the said Commissioners have a negative voice in this Treaty. CXXXV.

For the matter of your Lordships Paper concerning the limitation of time for the *Militia* to seven years, it is not possible, by reason of this shortnesse of time for the Treaty (it being ten of the clock this night when your Paper was delivered) to give your Lordships a full Answer, it being necessary for us to receive satisfaction from your Lordships in writing, or by Conference, whether by the words, [*and not otherwise*] your Lordships

Lordships intend that after the expiration of the time limited, His Majesty shall not exercise the Legall Power which He now hath over the *Militia*, before the same be agreed upon by His Majesty and the two Houses of the Parliament of *England*, and by His Majesty and the Estates of the Parliament of *Scotland*, respectively : for which resolution and debate we heartily wish the time were sufficient, being very willing to give your Lordships all reasonable satisfaction. And therefore we do propose to your Lordships, that if the Treaty may not now continue, it may be adjourned for such time as you shall think fit, and not totally dissolved, but again resumed ; which we propose as the best Expedient now left us for the procuring of a blessed Peace, and by it the preservation of this now miserable Kingdome from utter Ruine and Desolation.

After this, about two of the clock the next morning, they gave this Paper following, which is here mentioned, to be delivered upon their breaking up the Treaty, and intended for an Answer to the Paper of the 17. of February, n^o 129.

Their Paper.

22. Feb.

CXXXVI.

WE conceive, if your Lordships would weigh our Demands concerning the Power of the Commissioners of both Kingdomes, you will be satisfied with our Answers to your several Questions : where any Doubts were of the expressions, we did explain them ; and where the Propositions were so clear as they could bear no doubtful sense, we did referre your Lordships to the Propositions themselves. And we conceive our Demands concerning the *Militia* to be most reasonable, and all Objections made against them to be by us removed. And why your Lordships should insist that the Commissioners should not be nominated by the two Houses onely, and His Majesty, who is to be equally secured, should name none, we much marvel at, when you may well consider this Power was not to be exercised by the Commissioners untill a Peace had been concluded upon this Treaty, and then His Majesty had been fully secured by the Laws of the Kingdome, and by the Duties and Affections of His Subjects ; neither could the Commissioners doe any thing in violation of the Peace to the prejudice of His Majesty, contrary to the Trust reposed in them, they having a Rule prescribed which they were not to transgresse, and being removable by both Houses of the Parliament of *England* and the Estates of the Parliament of *Scotland* respectively, and being liable for any miscarriage to severe punishment. And as for their security who have been with His Majesty in this Warre, an Act of Oblivion is desired to be passed, whereby all His Majesties Subjects in both Kingdomes would have been put in one and the same condition and under the same protection, with some exceptions mentioned in those Propositions. And if the Commissioners had been severally chosen, the memory of these unnaturall Divisions must needs have been continued, and probably being severally named, would have acted dividedly according to several Interests, and the Warre thereby might be more easily revived : whereas the scope of the Propositions we have tendered was to take away occasions of future Differences, to prevent the raising of Armes, and to settle a firme and durable Peace. And to your Lordships Objections, that the Commissioners were to continue without any limitation of Time, although the reasonableness thereof hath been sufficiently manifested to your Lordships, yet out of most earnest desires of Peace we have proposed to your Lordships a time of seven yeares, as is expressed in our Paper delivered to your Lordships the 21. of this instant.

And for the peculiar Royal Power which your Lordships mention to reside in His Majesty concerning the *Militia*, and to make Peace and Warre, we cannot admit thereof,

thereof, or that it is otherwise exercised then by Authority from His Majesty and both Houses of Parliament of *England*, and the Estates of the Parliament of *Scotland* respectively; neither are the Commissioners to have power to make Peace or Warre, but that is referred to the 23. Proposition to be Treated upon in due time.

And for the Navy and Fleet at Sea, the principal means to maintain them is to be raised by the free gift of the Subjects out of Tonnage and Poundage, and other payments upon Merchandise; and the Navy and Fleet being a principal means of our security, the reasons are the same for them as for the *Militia* by Land.

And for what your Lordships allege concerning Sheriffs & Justices of Peace and other legal Ministers, not to raise the *Posse Comitatus*, or Forces to suppress Riots, without being liable to the interpretation of the Commissioners; we say this is no part of the *Militia* to be exercised by the Commissioners, but in executing of Justice and legal Process, nor can be intended to be any disturbance, but for the preservation of the Peace; nor can their power of hearing and determining Civil Actions and differences be extended further then preservation of the Articles of the Peace to be made, and as is clearly and plainly exprest in the 27. Proposition.

And whereas we seek the *Militia* to be settled in the 15. Proposition, and the other parts of our Propositions, in order to and for procuring of a Peace, and which are necessary to a present Union, your Lordships deferre them untill the Peace shall be established: which delay, we hope, upon second thoughts your Lordships will not judge to be reasonable.

And when your Lordships do take into serious consideration the great Calamities, and how occasioned, (to say no more) you cannot think but that we ought to be most careful of preventing the like for the future.

And seeing all we desire for these so important ends is limited to a few yeares, we ought to insist upon such a remedy as may be a fitting cure, and in so doing we hope we shall be justified before God and Man.

Wherefore we again most earnestly desire your Lordships, as you tender the deplorable Estates of these bleeding Kingdoms, the settling of Religion, the Honour of His Majesty, and the composing these miserable Distractions, that your Lordships will give your full and clear Answer to our Demands concerning the *Militia*.

This last Paper was delivered about two of the clock, when the Treaty was at that instant breaking up, and at the same time the King's Commissioners had (upon the like occasion of two Papers of theirs given in a little before, concerning Ireland, hereafter mentioned) delivered in a Paper, No. 179. that they might give Answer thereto the next day, dated as of that day, as had been formerly used, which was not granted; so that in Answer to this Paper so earnestly requiring an Answer in the Close thereof, it was impossible to give in any Paper at the present, neither would any be received but at present.

The Papers touching Ireland.

After the first six dayes of the Treaty spent upon Religion and the Militia, according to the same order formerly proposed, the Propositions concerning Ireland were next Treated upon, the three dayes following, beginning the 7. of February; and the same was also taken up again the 18. of February, for other three dayes.

Their Propositions touching Ireland.

7. February.

WE desire that an Act of Parliament be passed to make void the Cessation of *Ireland*, and all Treaties with the Rebels without consent of both Houses of Parliament, and to settle the prosecution of the War of *Ireland* in both Houses of the Parliament of *England*, to be managed by the joynt advice of both Kingdoms, and His Majesty to assist, and to doe no act to discountenance or molest them therein.

The

The King's Commissioners Paper.

7. February.

CXXXVII. **W**E desire to know, whether the Paper we have received from your Lordships contain in it all the Demands your Lordships are required by your Instructions to insist upon concerning *Ireland*: which if it doth, we are ready to enter upon that Debate; but if it do not, we then desire to receive all the Propositions your Lordships intend to make concerning *Ireland* together, being confident that upon a whole view of the business we shall give you full satisfaction in that Argument.

Their Paper.

7. Feb.

CXXXVIII. **W**E are to insist upon other things concerning *Ireland*, which being part of other Propositions, we conceive not so proper to give your Lordships, till we have received your Answer to our Paper formerly delivered, and are ready by present Conference to satisfy any Doubts that remain with your Lordships concerning that Paper.

Notwithstanding they delivered in these further Papers and Propositions following.

Their Paper.

7. Feb.

CXXXIX. **W**E desire that an Act be passed in the Parliament of both Kingdoms respectively, to confirm the Treaty concerning *Ireland* of the 6. of *August* 1642. (which Treaty we herewith deliver) and that all Persons who have had any hand in plotting, designing or assisting the Rebellion of *Ireland*, may expect no Pardon, and their estates to pay publick Debts and damages; and that the Commissioners to be nominated as is appointed in the 17. Proposition, may order the War of *Ireland*, according to the Ordinance of the 11. of *April* 1644. (which we herewith deliver) and to order the *Militia*, and to conserve the Peace of the Kingdom of *Ireland*.

And that by Act of Parliament the Deputy or chief Governour, or other Governours of *Ireland*, be nominated by both Houses of the Parliament of *England*, or in the Intervalls of Parliament by the said Commissioners, to continue during the pleasure of the said Houses, or in the Intervalls of Parliament during the pleasure of the said Commissioners, to be approved or disallowed by both Houses at their next sitting; and that the Judges of both Benches and of the Exchequer in *Ireland* be nominated by both Houses of Parliament, to continue *quamdiu bene se gesserint*, and in the Intervalls of Parliament by the aforesaid Commissioners, to be approved or disallowed by both Houses at their next sitting.

Together with these last Propositions they delivered the Treaty of the sixth of August 1642. and the Ordinance of the 11. of April therein mentioned, together with another of the 9. of March; which see in the Appendix, n^o 7, and 8.

The King's Commissioners Paper.

9. February.

CXL.
* num. 361.

WE desire to know what your Lordships intend or expect by those words in your * first Paper concerning *Ireland*, [and His Majesty to assist] since you propose to have the prosecution of the War of *Ireland* to be settled in both Houses of the Parliament of *England*, to be managed by the joynt advice of both Kingdoms.

Their

Their Answer.

9. Feb.

BY the words in our Paper concerning *Ireland* [*and His Majesty to assist*] we conceive is to be understood, the giving of His Royal Assent to such Acts of Parliament as shall be presented unto Him by both Houses, for raising of moneys from the Subject, and for other things necessary to the prosecution of the Warre in *Ireland*, and to be further aiding by His Power and countenance in whatsoever shall be requisite for the better carrying on of that Warre.

CXLI.

The King's Commissioners Paper.

10. Febr.

WE conceive that His Majesty had and hath Power to make a Cessation in *Ireland*; and having upon just grounds, and for the good and safety of His Protestant Subjects there, and for the preservation of that whole Kingdom, consented to such a Cessation, we desire to be informed by your Lordships, how that Cessation can be declared void, without a breach of Faith and Honour in His Majesty: and we are ready by Conference particularly to inform your Lordships of the Motives which induced His Majesty to consent to that Cessation.

CXLII.

Their Answer.

10. Feb.

WE conceive that His Majesty had not Power to make the Cessation in *Ireland*, nor had any just grounds to doe the same; and therefore we insist, as in our former Paper, That an Act of Parliament be passed to make void the Cessation of *Ireland*, and conceive that His Majesty is bound in Honour and Justice to consent unto the same: and we are ready to conferre with your Lordships as is desired, and to receive your Lordships full Answer to this and the other particulars expressed in our Paper concerning *Ireland*.

CXLIII.

After long Debates in Conference, which spent the greatest part of the day, touching the Motives of that Cessation, and the King's Power to make it, His Majesties Commissioners delivered in this Paper.

10. Febr.

WE have received no satisfaction or information in your Lordships Debate, to alter our opinion of His Majesties Power to make the Cessation in *Ireland*; and having carefully perused and considered the Statute alleged by your Lordships, we cannot finde any particular clause in that Statute, neither have your Lordships mentioned any, (though often desired by us so to doe) whereby His Majesties Power to make a Cessation there is taken away: and therefore we are still of opinion, that His Majesty had full Power to make and consent to that Cessation. And we conceive that we have given your Lordships an account of very just grounds to induce His Majesty to doe the same, it appearing to His Majesty by the Letters and Advice from the Lords Justices and Council of that Kingdom, and of the Officers of His Majesties Army there (which we have read to your Lordships, and of

CXLIV.

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which

* Copies of the Letters & advices were accordingly delivered. [In the Appendix.]

which Letters and Advices we now give * Copies to your Lordships) that His Majesties good Protestant Subjects of that Kingdom were in imminent danger to be over-run by the Rebels, and His Army to be disbanded for want of necessary Supplies, and that there was no such probable way for their preservation as by making a Cessation. Neither have your Lordships given us any satisfying Reasons against the making the said Cessation, or made it appear to us that that Kingdom could have been preserved without a Cessation; and therefore we cannot apprehend how His Majesty can with Justice and Honour declare the same to be void.

We shall be ready against the next time assigned for the Treaty touching *Ireland*, to give your Lordships a further Answer to your Propositions concerning that Argument; the Treaty concerning *Ireland* of the sixth of *August* 1642. and the Ordinance of the 11. of *April* 1644. (which we did never see till your Lordships delivered us Copies of them) making so great an alteration in the Government there, that we cannot be prepared for the present to make a full Answer to those Propositions.

Their Answer.

10. Feb.

CXLV. IT is very contrary to our expectation to finde your Lordships unsatisfied, after those Arguments and Reasons alleged by us, that His Majesty had not Power to make the Cessation with the Rebels in *Ireland*, and that upon the perusal of the Statute, it appears not to you that His Majesty had no power to make that Cessation: it is strange to us your Lordships should forget all the other Arguments used by us from the Common Law, from other proceedings in Parliament, and circumstances as this case stands, on which we still insist, and do affirm, that His Majesty had no Power to make or consent to that Cessation: we do not see any just grounds in the Copies of the Letters given us by your Lordships for His Majesties assenting to the Cessation, nor do we know by whom those Letters were written. We are therefore still clearly of Opinion, notwithstanding all your Lordships have alleged, that it was unfit for His Majesty to agree unto that Cessation, being destructive to His good Subjects, and to the Protestant Religion there, and only for the advantage of the Popish Rebels, to the high Dishonour of God, the Disservice of His Majesty, and evident prejudice of His three Kingdoms. We therefore again desire your Lordships full Answer to what we have delivered to you concerning *Ireland*.

The King's Commissioners Paper.

10. February.

CXLVI. WE have given your Lordships our Reasons why we are not satisfied with your Arguments, that His Majesty had not Power to make the Cessation; and as upon the perusal of the Statute we can finde no ground for that Opinion, so your Lordships in your whole Debate have not insisted or mentioned one clause in that Statute (though often desired) which makes it good, neither have your Lordships given us any Argument from the Common-Law, other then by telling us, *That it is against the Common-Law, because the private Interest of the Subscribers for Money was concerned in it.* To which we give this Answer, That their Interest was conditional, upon payment of their Moneys for the

See the late Statute concerning the Adventurers for Irish Lands.

the maintenance of the Warre, which was not performed; and that if they had paid their Moneys, yet this Cessation was rather for the advance of that Interest, there being (as it appears by the * Papers) no other visible means of preservation of the Army in *Ireland*; and that the Statute which gave that private Interest, doth not take away the Kings Power of making a Cessation; and we conceive that Argument of Interest was waved. But if your Lordships shall insist upon it, we again desire, as we did formerly, that a Case may be made of it, and that the Debate may be again resumed. Neither do we know that any Argument was used by your Lordships from the proceedings in Parliament; and if you shall give any, we shall be ready to answer it. And we conceive that the Advice given to His Majesty from the Lords Justices and Council of *Ireland*, and the Testimony of the Officers of the Army, expressing the miserable condition of that Kingdom, and inability to bear the Warre, should appear to your Lordships to be just grounds for His Majesties assenting to the Cessation. One of the Letters delivered by us to your Lordships, bearing date the fourth of *April* 1643. was sent by the Lords Justices and Council of *Ireland* to M^r Secretary *Nicholas*, in which was inclosed their Letter to the Speaker of the House of Commons, of which your Lordships have likewise an Extract, and a Remonstrance of the Officers of the Army to the Lords Justices and Council there; and the other Letter of the fifth of *May* 1643. to His Majesty, was from the Lords Justices and Council of that Kingdom: All which (if your Lordships please) shall be examined by you with the Originals. And we are therefore of opinion, that our Answer formerly delivered is a good Answer to the point of Cessation in question, and that it was not unfit for His Majesty to agree to that Cessation, nor destructive to the Protestant Religion, nor for the advantage of the Popish Rebels; but much for the advantage of the Protestant Subjects there, who were in apparent hazard of Destruction by Force and Famine, occasioned by the want of Supplies which had been promised to them, as we have formerly said. And we shall give your Lordships a further Answer to your other Propositions concerning *Ireland*, when the time comes again for that Debate.

*See the Letters and advices in the Appendix, num. 9.

Here ended the first three dayes of the Treaty concerning Ireland; and the night before the return of the next three dayes their Commissioners delivered this Paper.

17. February.

WE conceived that the Arguments used by us, that His Majesty neither had nor hath Power to make the Cessation with the Rebels of *Ireland*, might have fully satisfied your Lordships; and if any Doubts yet remain, we are ready by Conference to clear them. Your Lordships may well call to minde the several Clauses we insisted upon in the Statute, and the Arguments we have given from the Common Law, and other proceedings in Parliament: And we do affirm that several great Sums of Money were paid by particular Persons and by Corporations, who, according to the true intent of the Statute, ought to have the benefit of the same, according to divers other Acts of Parliament in pursuance thereof; and upon failer of payment by any particular Persons, the forfeiture was to accrue to the common

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benefit

benefit of the rest, not failing; and we do deny that the Argument of Interest was at all waved by us. And we conceive those Wants alleged by your Lordships (if any such were) in justifying the Cessation were supplied from time to time by the Houses of Parliament, until His Majesties Forces were so quartered in and about the common Roads to *Ireland*, that Provisions going thither were intercepted, and neither Money, Cloaths, Victuals, or other things could pass by Land with safety to be transported. And when that both Houses of Parliament were desirous further to supply those Wants, and for that purpose did tender a Bill to His Majesty, it was refused. And we still allege that we have no reason to be satisfied concerning the Cessation by any Arguments used by your Lordships, or by any thing contained in the Extracts of the Letters and Papers delivered to us by your Lordships, as from the Lords Justices and Council of *Ireland*, and the Officers of the Army; nor (though desired by us) have your Lordships afforded us liberty to compare those Extracts with the Originals, whereby we might have the names of the Persons by whom they were written, which we now again desire. We are therefore still clearly of Opinion as is expressed in our former Paper of the 10. of *February* concerning the Cessation, and do desire your Lordships full Answer to our Demands concerning *Ireland*.

The King's Commissioners Answer.

18, *February*.

CXLVIII.

WE did not conceive that your Lordships had believed that any Arguments used by you could satisfy us against His Majesties Power to make a Cessation with the Rebels in *Ireland*, which appears to have been made by Him by the Advice of His Council there, and for the preservation of His Majesties Protestant Subjects of that Kingdom, who in all probability would have perished by Famine and the Sword if that Cessation had not been made; and we shall be very ready to receive farther Information from your Lordships by Conference or otherwise in that particular, either concerning any Clauses in the Statute, or Arguments at Common Law, or proceedings of Parliament (your Lordships having never mentioned the one, or made any Case upon the other) upon which you intend to insist. And for the several great Summes of Money that were paid by particular Persons and Corporations upon that Statute mentioned by your Lordships, we are sorry that we are compelled by your Lordships insisting thereon to inform your Lordships, that His Majesty had clear information, that not onely much of the money raised by the Act for the four hundred thousand pound, which was passed for the better suppressing that most wicked and execrable Rebellion in *Ireland*, and for the payment of the Debts of this Kingdom, but also of the money raised by the Statute (on which your Lordships insist) for the speedy and effectual reducing of the Rebels of *Ireland*, &c. and other moneys raised by Contribution and Loan for the relief of His Majesties distressed Subjects of that Kingdom, were expended, contrary to the intent of the Acts by which the same were levied, and of the persons who lent and contributed the same, towards the maintenance of the Forces in this Kingdom under the Command of the Earl of *Essex*; and that many Regiments of Horse and Foot, levied for the Warre of *Ireland*, under the Command of the Lord *Wharton*, the Lord *Kerry*, Sir *Faithfull Fortescue* and others, were likewise employed in

in that Army under the Earl of *Essex* at *Edge-hill*; and therefore His Majesty refused to consent to the Bill presented to His Majesty after this, for the levying more money for *Ireland*, justly fearing that the same might be used as the former had been. And for the few Cloaths (for there were no Moneys) intercepted by His Majesties Souldiers in His Majesties Quarters, which are said to be intended for *Ireland*, the same were intercepted near *Coventry*, and going thither, after that City had refused to receive His Majesty, though at the Gates. But His Majesty never refused to give any safe Pass through His Quarters for any Goods or Provisions which were intended or prepared for *Ireland*, neither was the same ever desired. For the extracts and Copies of the Letters delivered by us to your Lordships from the Lords Justices and Councel of *Ireland*, and the Officers of the Army, we have been and are willing that your Lordships should compare them with the Originals: but for your having the Names of the Persons who writ the same (since there can be no doubt of the truth of our Assertions) we conceive it not reasonable to desire the same, not knowing what inconvenience any of them (since you seem not to like that Advice) might incur, if at any time they should be found within your Quarters. And having now satisfied your Lordships in the matter of the Cessation, we shall gladly proceed in the Treaty with your Lordships upon any thing that may be apparently good for His Majesties Protestant Subjects there, and the re-settling of that Kingdom in His Majesties Obedience.

Their Reply.

18. Feb.

WE do conceive that the Arguments used by us might have fully satisfied your Lordships against His Majesties Power to make a Cessation with the Rebels in *Ireland*, having answered whatsoever your Lordships have hitherto alleged to the contrary, and offered, if any other Doubts yet remain, by Conference to clear them, which still we are ready to doe; and we have heard nothing just or reasonable for that Cessation. It will be made evident, that the Necessities which by your Lordships were made excuses for the Cessation were created on purpose to colour the same; and we are compelled by your Lordships Paper to let you know, that the Committees of Parliament sent into *Ireland* to endeavour to supply their Necessities, were discountenanced by the principal Instruments for that Cessation, and when they had taken up 2000^l. upon their personal security for the Army there, they were presently after commanded from the Councel, by a Letter brought thither from His Majesty by the Lord *Ormond*'s Secretary: and when the Officers of the Army were contented to subscribe for Land in satisfaction of their Arrears, it was declared from His Majesty, that He disapproved of such Subscriptions, whereby that course was diverted. And we do affirm, that whatever summes of money raised for *Ireland* were made use of by both Houses of Parliament, were fully satisfied with advantage, and, as we are informed, before the Bill mentioned in our former Paper was refused by His Majesty. And for the Regiments of Horse and Foot mentioned by your Lordships to be raised for *Ireland*, and imployed otherwise by the Houses of Parliament; it is true that Forces were so designed, and when the Money, Armes and other Provisions were all ready, and nothing wanting but a Commission from His Majesty for the Lord *Wharton* who was to command them, the same could not be obtained, which was the cause those Forces did not goe thither: and when twelve Ships and six Pinnaces were prepared with a thousand or more Land-Forces for the service of

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Ireland,

Ireland, and nothing desired but a Commission from His Majesty, the Ships lying ready and staying for the same were three weeks together at three hundred pound a day charge ; yet the same was denied, though often desired. And where your Lordships seem to imply, that the Provisions seized by His Majesties Forces were going for *Coventry*, it was made known to His Majesty that the same were for *Ireland*. And your Lordships must needs conceive that, the Papers you delivered to us being but Extracts, and for that you deny us so to compare them with the Originals as to have the Names of the persons by whom they were written, it is altogether unreasonable for us to give any credit to them, it being manifest by this and our former Papers and Debates, that the Cessation with the Rebels in *Ireland* is both unjust and unlawful. We therefore insist on our Demands concerning *Ireland*, as apparently good for His Majesties Subjects there, and for reducing that Kingdom to His Majesties Obedience.

Before His Majesties Commissioners gave Answer to this last Paper, they being also to answer the rest of the Demands concerning Ireland, for their necessary information touching some Doubts that did arise upon those Demands, and the Articles of the Treaty of the 6. of August concerning Ireland, and Ordinances delivered with them, the King's Commissioners gave in these several Papers.

The King's Commissioners First Paper.

19. Feb.

- CL. **I**N the eighth Article of the Treaty, for the coming of the Scots Army into *England*, dated 29. Nov. 1643. at *Edinburgh*, delivered to us by your Lordships among the Papers for *Ireland*, and desired by the twelfth Proposition to be confirmed by Act of Parliament, *It is agreed that no Cessation, nor any Pacification or Agreement for Peace whatsoever, shall be made by either Kingdom, without the mutual advice and consent of both Kingdoms, or the Committees in that behalf appointed, who are to have full power for the same, in case the Houses of the Parliament of England, or the Parliament or Convention of Estates in Scotland, shall not sit.* We desire to know whether that Article extend to any Cessation, Pacification, or Agreement in *Ireland*.

Their Answer.

19. Feb.

- CLI. **W**E did, in Answer to your Lordships Paper of the first of *February*, upon the Propositions concerning Religion, deliver the Treaty of the 29. of *November* 1643. mentioned by your Lordships, and not among the Papers for *Ireland*, to which it hath no relation.

The King's Commissioners Reply.

20. February.

- CLII. **Y**Our Lordships did deliver the Treaty of the 29. of *November*, 1643. to us with the Papers concerning *Ireland*, and on the 7. day of this instant *February*, and not upon the first of *February*, upon the Propositions concerning Religion.

Their Answer.

20. February.

- CLIII. **W**hen your Lordships peruse your Papers, you will rest satisfied with our Answer of the 19. of this instant to your first Paper that day given to us; for

for it will appear by your Lordships third Paper of the first of *February*, and our Paper given to your Lordships in answer of it, that the Treaty of the date at *Edenburgh 29. Novemb. 1643.* was delivered to your Lordships on the first of *February*, upon the Proposition of Religion, and not upon the 3. of *February*, with the Papers concerning *Ireland*.

The Article of the Treaty of the 29. of November 1643. which occasioned these Papers, being by their Papers thus acknowledged not to concern Ireland, and so not pertinent to that Subject, the King's Commissioners insisted no farther.

The King's Commissioners Second Paper.

19. February.

BY the thirteenth Proposition it is demanded, that an Act be passed to settle the prosecution of the Warre of *Ireland* in both Houses of Parliament of *England*, to be managed by the joynt advices of both Kingdoms. We desire to know, whether if the two Kingdoms shall not agree in their advice touching that Warre, each have a Negative voice, or whether the Scots Commander in chief of the Forces in *Ireland* may manage that Warre in such case according to his own discretion.

CLIV.

Their Answer:

19. Febr.

IN Answer to your Lordships second Paper, the prosecution of the Warre of *Ireland* is to be settled in the two Houses of the Parliament of *England*, but is to be managed by a joynt Committee of both Kingdoms, wherein the Committee of each Kingdom hath a Negative voice; but in case of disagreement, the Houses of Parliament of *England* may prosecute the Warre as they shall think fit, observing the Treaty of the sixth of *August 1642.* between the two Houses and the Estates of the Parliament of *Scotland*, and the Ordinance of the 11. of *April 1644.* delivered to your Lordships formerly.

CLV.

The King's Commissioners Third Paper.

19. February.

BY the twentieth Proposition, in the Intervalls of Parliament the Commissioners for the *Militia* have power to nominate the Lord Deputy of *Ireland*, and other Officers and Judges there. We desire to know, whether that power be limited to the Commissioners of both Kingdoms, or onely to the Commissioners for *England*, and whether in such cases the Commissioners of *Scotland* shall vote as single persons.

CLVI.

Their Answer.

19. Feb.

THE power of the Commissioners in the Intervalls of Parliament to nominate the Lord Deputy of *Ireland*, and other Officers and Judges there, mentioned in the twentieth Proposition, being no matters of joynt concernment, is to be limited to the Commissioners of the Parliament of *England*, wherein the Commissioners of *Scotland* are to vote as single persons.

CLVII.

The King's Commissioners Fourth Paper.

19. February.

CLVIII.

See all these in
the Appendix.

THE Articles of the Treaty of the sixth of *August*, giving power to the Lieutenant of *Ireland* (when the *Scotish* Army shall be joyned with his Army) to give Instructions to the *Scotish* Commander in chief, and the Orders of the two Houses of the 9. of *March* 1644. and the 11. of *April* 1644. appointing the General of the *Scotish* Forces in *Ireland* to command in chief over all the Forces, as well *British* as *Scots*, and both being desired to be enacted, we desire to know, whether the Lieutenant of *Ireland* shall command the *Scots* Forces, or whether the *Scotish* General shall command all Forces, both *British* and *Scots*.

Their Answer.

19. Feb.

CLIX.

IN Answer to your Lordships fourth Paper we say, that the Ordinances of the 9. of *March* and 11. of *April* 1644. were made when there was no Lieutenant of *Ireland*: and when a Lieutenant shall be made with the approbation of both Houses, according to our former Demands in the seventeenth and twentieth Propositions, it will be a fitting time to give further Answer to your Lordships.

The King's Commissioners Reply.

20. Feb.

CLX.

WE desire a full Answer from your Lordships to our fourth Paper, delivered to your Lordships yesterday, concerning the Power of the Lord Lieutenant of *Ireland*, and the General of the *Scots* Forces, your Lordships having proposed to us, that the Articles of the Treaty and the Ordinance of the 11. of *April* be enacted by His Majesty; by one of which the General of the *Scots* Forces is to receive Instructions for the managing the War there from the Lieutenant of *Ireland*, and by the other (which is the later) the General of the *Scots* Forces is to command in chief both the *British* and *Scots* Forces, by which it seems the Lieutenant of that Kingdom is to have no Power in the prosecution of that Warre.

Their Answer.

20. Feb.

CLXI.

WE do insist upon our former Papers, that the prosecution of the Warre in *Ireland* is to be settled in both Houses of Parliament, and is to be managed by the joynt advice of both Kingdoms, as in those Papers is set down; and when a Lieutenant of *Ireland* shall be appointed, as is expressed in the Propositions, and it shall be necessary for the good of the service that he and the Commander in chief of the *Scotish* Army joyn, the Commander of the *Scotish* Army shall receive Instructions from the Lord Lieutenant or Deputy, or other who shall have the chief Government of the Kingdom for the time, according to the Orders which shall be given by the Commissioners of both Kingdoms.

The

The King's Commissioners Fifth Paper.

19. February.

THE last part of the seventeenth Proposition gives power to the Commissioners for the *Militia* of both Kingdoms, as a joynt Committee to order the Warre of *Ireland*, according to the Ordinance of the 11. of *April*, and to order the *Militia*, and conserve the Peace of the Kingdom of *Ireland*; and by that of the 11. of *April*, the Earl of *Leven* being appointed Commander in chief over all the Forces, as well *British* as *Scots*, we desire to know, whether he shall be subordinate to those Commissioners for the *Militia*, and be obliged to observe such Orders as he shall receive from them. CLXII.

Their Answer:

19. Feb.

THE Commissioners of the *Militia* desired by the seventeenth Proposition are to order the Warre of *Ireland*, according to the Ordinance of the 11. of *April*; and the Earl of *Leven* being by that Ordinance Commander in chief of the Forces there, is obliged to observe such Orders as he shall receive from those Commissioners. CLXIII.

Their Commissioners likewise the same 19. of Feb. delivered in some Papers of Demands on their part.

Their * Answer.

* Demand.

19. Feb.

WE desire that no Cessation of Arms or Peace in *Ireland* may be Treated upon, or concluded, without consent of both Houses of Parliament of *England*. CLXIV.?

Another, 19. Feb.

WE desire to know, whether any Peace or Cessation of Arms in *Ireland* be consented unto by His Majesty, and for what time, and whether any Commission be now on foot, or other Authority given by His Majesty for that purpose. CLXV.

The King's Commissioners Answer to both.

20. February.

TO your Lordships * sixth and seventh Papers delivered to us yesterday concerning any Peace or Cessation of Arms in *Ireland*, your Lordships well know, that long after the Warre begun in this Kingdom, and the want of a Supply from hence, that a Cessation hath been made with His Majesties consent, and we conceive that the same expires in *March* next, and we are confident there is no Peace made there: But for the making a Peace or a farther Cessation, we can give no farther Answer till we may know whether there may be a blessed Peace made in *England*; since if the miserable Civil Warres shall continue in this Kingdom, we cannot conceive it possible for His Majesty by Force to reduce the Kingdom of *Ireland*, or to preserve His Protestant Subjects there without a Peace or Cessation. CLXVI.
* Which were the two next precedent Papers.

Their

Their Reply.

20. Febr.

CLXVII.

WE conceive your Lordships have given no Answer to us, whether any Commission be now on foot, or other Authority given by His Majesty for any Peace or Cessation of Arms in *Ireland*, other then that which determines in *March* next; nor to our desire that no Cessation of Arms or Peace in *Ireland* may be Treated upon, or concluded, without consent of both Houses of the Parliament of *England*: nor do we understand why your Lordships should delay your Answer herein till the Peace in *England* be concluded, since it hath been so clearly manifested to your Lordships by the true meaning of the Act passed by His Majesty this Parliament, that His Majesty can make no Peace nor Cessation without the Consent of the two Houses; and that your Lordships satisfactory Answer to this and our other Demands concerning *Ireland* will much conduce to the settling the Peace of this Kingdom. We therefore again desire your Lordships full and clear Answer to the particulars expressed in our sixth and seventh Papers, yesterday delivered to your Lordships.

The King's Commissioners Answer.

20. Febr.

CLXVIII.

WE do not hold our selves any wayes obliged to answer your Lordships Demand, whether any Commission be on foot, or other Authority from His Majesty, for a Peace or Cessation of Arms in *Ireland* (that Question not arising upon any Propositions on His Majesties part:) yet for your Lordships satisfaction, we do again assure you, we do not know there is any Peace or Cessation made there other then that which determines in *March* next. But what Commission the Marquess of *Ormond*, as Lieutenant of *Ireland*, or General of the Forces there, hath to that purpose, we do not know, and therefore cannot inform your Lordships. And as to the other particulars in that Paper, we do * referre our selves to the Answers formerly given in to your Lordships Demands touching that Subject, with this, that we do conceive it to be most clear, that His Majesty is in no wise restrained by express words, or by the meaning of any Act made this Parliament, from making a Peace or Cessation in *Ireland* without the consent of the two Houses.

* The two Papers following, n. 171, & 172. were delivered in before this Paper, and the reference is to them & others formerly delivered on that Subject.

Their Paper.

19. Feb.

CLXIX.

THERE being but three dayes left to Treat upon the Propositions for *Religion*, the *Militia*, and for *Ireland*, and for that your Lordships have given no satisfactory Answers to our Demands concerning them, we therefore now desire to conferre with your Lordships how to dispose of the three dayes yet remaining, that we may receive your Lordships full and clear Answers thereunto.

The King's Commissioners Answer.

19. February.

CLXX.

WE see no cause why your Lordships should think our Answers upon the Propositions for *Religion* and the *Militia* were not satisfactory,

factory. And for that of *Ireland*, we have received many Papers from your Lordships concerning that business besides the Propositions themselves, to all which we doubt not to give a full and clear Answer to your Lordships to morrow, being the time assigned, and the last day of the Treaty upon that Subject. * After, we shall be ready to conferre with your Lordships of disposing the remainder of the time.

* See the Paper,
20. Feb. n. 192.
touching His
Majesties return
to Westminster.

Accordingly, after the before-mentioned Demands and Answer thereunto of the 19. of February, the King's Commissioners in Answer to theirs of the 18. of February, n. 149. delivered in this Paper.

20. February.

WE have already told your Lordships how farre we are from being satisfied by what you have alleged against His Majesties Power to make a Cessation with the Rebels in *Ireland*, neither have your Lordships in any degree answered the important Reasons which induced His Majesty so to doe, it being very evident that by the Cessation there His Majesties Protestant Subjects have been preserved and subsisted, which without it they could not have done, the two Houses forbearing to send any relief or supply to them, and His Majesty not being able. And we desire your Lordships to consider how impossible it was, whilst the Warre continued in *England* with such fierceness and animosity, by Arms to reduce the Kingdom of *Ireland* to His Majesties Obedience; and therefore His Majesty had great reason to preserve that by a Cessation which He could not reduce by a Warre: And we are most confident that the Necessities (which are not offered as excuses for, but were the reall grounds of, the Cessation) were very visible to all those in that Kingdom, whose Advices His Majesty ought in reason to follow, and whose Interests were most concerned, and would not have given such Advice, if any other way could have been found out to preserve them. And we have been credibly informed, that the Committee sent into *Ireland* (which His Majesty never understood to be sent thither to supply the Necessities, but to observe the Actions of His Majesties Ministers there, having in their Journey thither signed Warrants in their own names to apprehend the Persons of Peers of this Realm, and Persons of His Majesties Privy Council) were never discountenanced there; for His Majesties directions, that Persons who were not of His Privy Council there should not be present at those Councils, cannot be interpreted a discountenance to them in any thing they ought to doe. And we are most assured, that His Majesty sent no Message or Letter to divert the course of the Officers subscribing for Land in satisfaction of their Arrears, but the Souldiers were merely discouraged from the same, by discerning that for want of Supplies they should not be able to goe on with that Warre. And we do assure your Lordships, that His Majesty doth not believe that the Summes of Money raised for *Ireland* (which your Lordships do admit to have been made use of by both Houses of Parliament otherwise then was appointed) are yet satisfied in any proportion,

CLXXI.

tion, the greatest part of the money raised upon the Bill for 400000 l. and of the moneys raised upon the charitable Collections, as well as the Adventurers moneys, being imployed upon the Warre here; and if the same were since satisfied, it doth no wayes excuse the diverting of them, when in the mean time that Kingdom suffered by that diversion: and that the fear that other moneys so raised might likewise be mis-imployed, was a great reason (amongst others) that made His Majesty not consent to that Bill mentioned by your Lordships. And for the Regiments of Horse and Foot, which your Lordships in your Paper of the 18th of this moneth say were designed for *Ireland*, though they were imployed otherwise, because a Commission could not be obtained for the Lord *Wharton* who was to command those Forces; it is well known that those Forces were raised before His Majesties Commission was so much as desired, and then the Commission that was desired should have been independent upon His Majesties Lieutenant of that Kingdom, and therefore His Majesty had great reason not to consent to such a Commission, and so the damages of keeping those six Pinnaces and the 1000 Land-Forces (if any such were) proceeded not from any default of His Majesty. And for the Provisions seized by His Majesties Forces, it is notorious that they were seized in the way to and near *Coventry*, and that it was not made known to His Majesty that the same were for *Ireland* till after the seizure thereof, when it was impossible to recover the same from the Souldiers who had taken them; whereas if a safe Conduct had been desired * of by His Majesty, as it ought to have been, the same being to pass through His Quarters, there would have been no Violence or Interruption offered. For the giving the Names of the Persons who subscribed the Letters delivered to your Lordships (the Originals of which have been shewed to you by us) we have given your Lordships a full and reasonable Answer: and if your Lordships will assure us, that the giving their Names to you shall be no prejudice to the Persons who did subscribe, if at any time any of them shall be found within your Quarters, we will forthwith deliver their Names to you; otherwise we conceive your Lordships cannot but give credit to that we have said and shewed to you. All which, we hope, hath clearly satisfied your Lordships, that the Cessation with the Rebels was neither unjust nor unlawful, and that you will proceed to satisfy us by what means the Warre may be managed in *Ireland*, with probable hope of the preservation of His Majesties Protestant Subjects there; we being very willing to concur with your Lordships in any just and honourable way for the good and settlement of that miserable Kingdom.

And together with this last the King's Commissioners delivered in this other Paper.

20. February.

CLXXII.

HAVING given your Lordships clear Reasons, why the Cessation which hath been made in *Ireland* is not in Reason or Justice to be made

made void, and that the making void thereof (if the same might be done) is not or cannot be for the benefit or advantage of His Majesties Protestant Subjects in that Kingdom so long as the unhappy Warres in this Kingdom continue; to the other part of your Lordships first Paper concerning *Ireland*, for the prosecution of the Warre there to be settled in both Houses of the Parliament of *England*, to be managed by the joynt advice of both Kingdoms, and His Majesty to assise, we say, That it appears by the other Papers delivered to us by your Lordships, as the Articles of the Treaty of the sixth of *August*, and the Ordinances of the eleventh of *April* and ninth of *March*, and otherwise, That the intent is, that that War shall be managed by a joynt Committee of both Kingdoms, and that the Committee of each Kingdom shall have a Negative voice, and consequently it is very probable that upon difference of Opinion between them that Warre may stand still, or, to the utter Ruine of His Majesties good Subjects there, be absolutely dissolv'd. For whereas your Lordships say, That in case of such Disagreement, the Houses of the Parliament of *England* may prosecute the War as they shall think fit, observing the Treaty of the sixth of *August* 1642. and the Ordinance of the 11th of *April*; your Lordships well know, that by that Treaty and that Ordinance the two Houses of the Parliament of *England* alone cannot prosecute that Warre, that Ordinance of the 11. of *April* expressly making the Earl of *Leven*, the Scots General, Commander in chief of all Forces in that Kingdom, both *British* and *Scotish*, without any reference unto His Majesty or His Lieutenant of that Kingdom, and directing that the Warre shall be managed by the Committee of both Kingdoms, without any other reference to the two Houses of the Parliament of *England*. And therefore we cannot consent that such an Act of Parliament be passed for the confirmation of that Treaty, or the Ordinance of the 11th of *April*, as your Lordships propose, by reason that thereby all His Majesties Authority would be wholly taken away in that Kingdom, and in truth that whole Kingdom be thereby delivered into the hands of His Majesties Subjects of *Scotland*; which we conceive is neither just, prudent nor honourable to be done. And we are of opinion, that it is not agreeable to His Majesties Honour, or the Justice and Protection which He owes to His Subjects of His Kingdom of *Ireland*, to put the nomination of His Lieutenant and Judges of that Kingdom out of Himself, and to commit the whole Power of that Kingdom to others, and to binde Himself to pass all such Acts of Parliament as any time hereafter shall be presented to Him for raising of moneys, and other things necessary for the prosecution of the War in that Kingdom, which your Lordships say, in your Paper the 9th of this instant, you intend by those words [*His Majesty to assise*,] in your first Paper. And we conceive it cannot be expected that His Majesty should consent to an Act of Parliament for prosecution of the War in *Ireland* to be managed by the Advice of the Houses of Parliament here and the Estates of the Parliament of *Scotland*, so long as the War in this Kingdom shall continue.

For these and many other Reasons, we conceive it doth appear to your Lordships that the Propositions, as they are delivered to us by your Lordships, are by no means fit to be consented to; and therefore we desire your Lordships to make other Propositions to us, which may be for the preservation and relief of His Majesties Protestant Subjects there, and for the settlement of that Kingdom, in which we shall very readily concur; and we shall be very willing that the business of that Kingdom shall, after a Peace settled in this, be taken into consideration, and ordered as His Majesty and both Houses of Parliament here shall think fit.

Their Answers to these two Papers.

Their Paper.

20. Feb.

CLXXIII.

WE expected that your Lordships would have been fully satisfied by what we have alleged against His Majesties Power to make the Cessation with the Rebels in *Ireland*; and we cannot find those important Reasons which your Lordships mentioned to have induced His Majesty so to doe, or that thereby His Majesties Protestant Subjects there have been preserved or subsisted: but we have made it evident that this Cessation tended to the utter Destruction of the Protestants in that Kingdom, as we conceived was designed by those who advised His Majesty thereunto. And we observe, your Lordships urge that this Cessation was the onely means for the subsistence of the Protestants there; when it cannot be denied but that very many of the Protestants in *Ulster*, *Munster* and *Connaught* have yet subsisted, although they have refused to submit to the Cessation, and opposed the same as the means intended for their Ruine. And we do affirm unto your Lordships, that the two Houses of Parliament have been so farre from failing to supply His Majesties good Subjects in that Kingdom, that although His Majesties Forces have, as much as lay in their power, endeavoured to prevent the same, and have taken to themselves that which was provided for those whom your Lordships mention to have been in so great Want and extremity; yet the two Houses not discouraged thereby, have constantly sent great proportions of all necessary Supplies unto the Protestants there, whereby they have subsisted, and have very lately sent thither, and have already provided to be speedily sent after, in Money, Victuals, Cloaths, Ammunition, and other Necessaries, to the value of sevenscore thousand pounds: and they have not desired any other Provision from His Majesty but what He was well able to afford herein, only His Assistance and Consent in joyning with His two Houses of Parliament, for the better enabling them in the prosecution of that Warre. And we are so farre from apprehending any impossibility of reducing that Kingdom during the unhappy Distractions here, that although many of the Forces provided by the two Houses for that end were diverted and imployed against the Parliament, to the increasing of our Distractions, yet the Protestants in *Ireland* have subsisted and do still subsist, and we have just cause to believe, that if this Cessation had not been obtained by the Rebels (and that in the time of their greatest Wants) and that these Forces had not been withdrawn, they might in probability have subdued those bloody Rebels, and finished the Warre in that Kingdom. For the pretended Necessities offered as grounds of this Cessation, we have already given your Lordships (we hope) clear information. For the Persons whose Advice His Majesty followed therein, your Lordships have not thought fit to make them known unto us, and we cannot conceive their Interest in that Kingdom to be of such consideration as is by your Lordships supposed: But we know very well, that many persons of all sorts have forsaken that Kingdom rather than they would submit unto this Cessation, and great numbers of considerable persons and other Protestants yet remaining there have opposed, and still do oppose, that Cessation, as the
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visible means of their Destruction. The two Houses sent their Committees into *Ireland* for the better supplying and encouraging of the Armies there, and to take an account of the state of the Warre to be represented hither, that what should be found defective might be supplied. What Warrants they issued we are ignorant of, but are well assured that what they did was in pursuance of their Duty, and for advancement of the publick Service, and suppressing of that horrid Rebellion: and we cannot but still affirm they were discountenanced and commanded from the Council there where the prosecution of that Warre was to be managed, and that it was declared from His Majesty, that He disapproved of the Subscriptions of the Officers of the Army, by means whereof that course was diverted.

Concerning the Moneys raised for *Ireland*, we have in our former Papers given your Lordships a full and just Answer, and we are sorry the same cannot receive credit. Those moneys raised upon charitable Collections, we do positively affirm were only employed to those ends for which they were given; and we cannot but wonder the contrary should be suggested. We are confident the Commission desired by the two Houses for the Lord *Wharton* (and which your Lordships acknowledge was denied) was only such as they conceived most necessary for advancement of that Service, and the denial thereof proved very prejudicial thereunto. And we must again inform your Lordships, that it was well known, at the time when the goods were seized by His Majesties Forces (as your Lordships allege, near *Coven-try*) that the same were then carrying for the supply of the Protestants in *Ireland*; and some other Provisions made and sent for the same purpose were likewise seized and taken away by some of His Majesties Forces, as we have been credibly informed, not without His Majesties own knowledge and direction. Your Lordships may believe that those who signed the Letters mentioned in your Papers have done nothing but what they may well justify; and if the same be well done, they need not fear to give an Account thereof, nor your Lordships to suppose that if they come within our Quarters they shall be otherwise dealt withall then shall be agreeable to Justice. Upon the whole matter, notwithstanding the Allegations, Pretences and Excuses offered by your Lordships for the Cessation made with the Rebels in *Ireland*, we are clearly satisfied that the same was altogether unjust, unlawful, and destructive to His Majesties good Subjects, and of advantage to none but the Popish bloody Rebels in that Kingdom. And therefore we still earnestly insist, as we conceive our selves in Conscience and Duty obliged, upon our former Demands concerning *Ireland*, which we conceive most Just and Honourable for His Majesty to consent unto. We know no other waies to propound more probable for the reducing of the Rebels there: but these being granted, we shall chearfully proceed in the managing of that Warre, and doubt not, by God's blessing, we shall speedily settle that Kingdom in their due Obedience to His Majesty.

Their other Paper.

20. Feb.

WE cannot understand how out of any of the Papers, Articles and Ordinances delivered by us unto your Lordships, there should be a ground for your Opinion, that upon any Differences between the Committees or Commanders employed about the Warre of *Ireland*, the Warre should stand still or be dissolved: nor do we find that the Ordinance of the 11. of *April* can produce any such inconvenience as your Lordships do imagine: nor doth the making of the Earl of *Leven* Commander in chief of the *Scotish* and *British* Forces, and the settling of the prosecution of the Warre of *Ireland* in the two Houses of the Parliament of *England*, to be managed by the joynt Advice of both Kingdoms, take away the relation to His Majesties Authority, or of the two Houses of Parliament, or of the Lord Lieutenant of *Ireland*. For, in the first place, His Majesties Consent is humbly desired, and the whole Power is derived from Him; only the Execution of it is put into such a way, and the General is to carry on the Warre according to the Orders he shall receive from the Committee of both Kingdoms; and in case of Disagreement in

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the Committee, the two Houses of Parliament are to prosecute that Warre, as is expressed in our Answer to your Lordships second Paper of the 19. of *February*. And when there shall be a Lieutenant of *Ireland*, and that he shall joyn with the Commander in chief of the *Scottish* Army, the said Commander is to receive Instructions from him, according to the Orders of the Commissioners of both Kingdoms, as we have said in our Answer to your Lordships second Paper of this day. Nor doth the naming of the Earl of *Leven* to be General any more take away the Power of the two Houses, then if he were a Native of this Kingdom; or is there any part of the Kingdom of *Ireland* delivered over into the hands of His Majesties Subjects of the Kingdom of *Scotland*, who do only joyn with their Counsels and Forces for carrying on the Warre, and reducing that Kingdom to His Majesties Obedience. And we conceive it most conducing for the good of His Majesties Service and of that Kingdom, that the Lieutenant and Judges there should be nominated by the two Houses of Parliament, as is expressed in the twentieth Proposition, who will recommend none to be employed by His Majesty in places of so great trust, but such whose known Ability and Integrity shall make them worthy of them, which must needs be best known to a Parliament; nor are they to have any greater Power conferred upon them by the granting this Proposition, then they have had who did formerly execute those places. And we know no reason why your Lordships should make difficulty of His Majesties consenting to such Acts as shall be presented unto Him for raising moneys and other necessaries from the Subject, which is without any charge to Himself, for no other end but the settling of the true Protestant Religion in that Kingdom, and reducing it to His Majesties Obedience, for which we hold nothing too dear that can be employed by us. And we cannot but wonder that your Lordships should make the prosecution of the Warre of *Ireland*, which is but to execute Justice upon those bloody Rebels, who have broken all Laws of God and Man, their Faith, their Allegiance, all bonds of Charity, all rules of Humanity and humane Society, who have Butchered so many thousands of Innocent Christians, Men, Women and Children, whose blood cries up to Heaven for Vengeance, so many of His Majesties Subjects, whose Lives He is bound to require at their hands that spilt them, and to doe Justice upon them to put away innocent blood from Himself, His Posterity, the whole Land; these execrable Antichristian Rebels, who have made a covenant with Hell to destroy the Gospel of Christ, and have taken up Arms to destroy the Protestant Religion, to set up Popery, to rend away one of His Majesties Kingdoms, and deliver it up into the hands of Strangers, for which they have negotiations with *Spain* and other States; a Warre which must prevent so much mischief, doe so much good, offer up such an acceptable Sacrifice to the Great and Just God of Heaven, who groans under so much Wickedness to ly so long unpunished; a Warre which must reduce that Kingdom unto His Majesties Obedience, the most glorious work that this Kingdom can undertake; that the prosecution of such a Warre your Lordships should make to depend upon any other condition, that the Distractions of these Kingdoms should be laid as an impediment unto it, and that there should be any thought, any thing which should give those Rebels hope of impunity, if our Miseries continue; whereas, according to Christian reason and the ordinary course of God's Providence, nothing can be more probable to continue our Miseries then the least connivence in this kind. What can be said or imagined should be any inducement to it? We hope, not to make use of their help and assistance to strengthen any party here, to bring over such Actors of barbarous Cruelties to exercise the same in these Kingdoms. We desire your Lordships to consider these things, and that nothing may remain with you which may hinder His Majesty from giving His Consent to all good means for the reducing of *Ireland*, according to what is desired by us in our Propositions.

The King's Commissioners Reply to the two last Papers.

The King's Commissioners Paper.

20. February.

WE are very sorry that our Answers formerly given to your Lordships in the business of the Cessation, which was so necessary to be made, and being made to be kept, have not given your Lordships satisfaction; and that your Lordships have not rather thought fit to make the reasonableness of your Propositions concerning Ireland appear to us, or to make such as might be reasonable in the stead, then by charging His Majesty with many particulars which highly reflect upon His Honour, to compel us to mention many things in Answer to your Lordships Allegations, which otherwise in a time of Treaty, when we would rather endeavour to prevent future Inconveniences then to insist on past mistakes, we desired to have omitted. And we can no wayes admit, that when the Cessation was made in Ireland, His Majesties Protestant Subjects there could have subsisted without that Cessation, nor that the Warre can be maintained and prosecuted to the subduing the Rebels there so long as the Warre continues in this Kingdom; which are the chief grounds laid for the Assertions in your Lordships first Paper delivered this day, concerning the business of Ireland. Neither can we conceive that your Lordships have alleged any thing that could in the least degree satisfy us, that His Majesty had no Power to make that Cessation, or had no Reason so to doe, considering (as we have formerly said, and do again insist upon it) that by that Cessation (which was not made till long after this Kingdom was embroiled in a miserable Warre) the poor Protestants there (who for want of Supplies from hence were ready to famish and be destroyed) were preserved, and that Kingdom kept from utter Ruine, (so farre was it from being a design for their Destruction, or for the advantage of the Popish bloody Rebels, as is insinuated:) for it appears by the Letters of the Lords Justices of Ireland, Sir William Parsons and Sir John Borlase, and of the Council there, of the fourth of April 1643. before that Cessation made, directed to the Speaker of the House of Commons, a Copy whereof we delivered to your Lordships, though we presume you may have the Original, That His Majesties Army and good Subjects there were in danger to be devoured for want of needfull Supplies forth of England; and that His Majesties Forces were of Necessity sent abroad, to try what might be done for sustaining them in the Country, to keep them alive untill Supplies should get to them: but that designe failing, those their hopes were converted into astonishment, to behold the Miseries of the Officers and Souldiers for want of all things, and all those Wants made unsupportable in the want of Food; and divers Commanders and Officers declaring they had little hope to be supplied by the Parliament, pressed with so great importunity to be permitted to depart the

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Kingdom, as that it would be extreme difficult to keep them there. And in another part of that Letter (for we shall not grieve you with mention of all their Complaints) they expressed, That they were expelling thence all Strangers, and must instantly send away for England thousands of poor despoiled English, whose very eating was then unsupportable to that place; that their Confusions would not admit the writing of many more Letters, if any, (for they had written divers others, expressing their great Necessities.) And to the end His Majesty and the English Nation might not irrecoverably and unavoidably suffer, they did desire that then (though it were almost at the point to be too late) supplies of Victualls and Ammunition in present might be hastned thither to keep life untill the rest might follow, there being no Victuall in the store, nor a hundred Barrells of Powder (a small proportion to defend a Kingdom) left in the store, when the out-Garrisons (as they were to be instantly) were supplied, and that remainder, according to the usuall necessary expence, besides extraordinary accidents, would not last above a Moneth. And in that Letter they sent a Paper signed by sundry Officers of the Army, delivered to them as they were ready to signe that Dispatch, and by them apprehended to threaten imminent Danger, which mentioned, That they were brought to that great exigence, that they were ready to rob and spoil one another; that their Wants began to make them desperate; that if the Lords Justices and Councell there did not finde a speedy way for their preservation, they did desire that they might have leave to goe away; that if that were not granted, they must have recourse to the Law of Nature, which teacheth all men to preserve themselves.

And by a Letter of the 11th of May following (a Copy whereof we have also delivered to your Lordships) the Lords Justices and Council there did advertise His Majesty, That they had no Victuall, Cloaths, or other Provisions, no Money to provide them of any thing they want, no Arms, not above 40. Barrells of Powder, no strength of serviceable Horse, no visible means by Sea or Land of being able to preserve that Kingdom; and that though the Winds had in many dayes, and often formerly, stood very fair for accessions of Supplies forth of England, (the two Houses having then and ever since the full Command of those Seas) yet to their unexpressible grief, after full six moneths waiting, and much longer patience and long suffering, they found their expectations answered in an inconsiderable quantity of Provisions, viz. 75 Barrells of Butter and 14 Tun of Cheese, being but the fourth part of a small Vessels-loading, which was sent from London, and arrived there on the fifth of May, which was not above 7 or 8 days Provisions for that part of the Army in and about Dublin; no Money or Victualls (other then that inconsiderable proportion of Victualls) having arrived there as sent from the Parliament of England, or from any other forth of England, for the use of the Army since the beginning of November before. And besides these, whereof we have * Copies to your Lordships, it was represented to His Majesty by Petition from that Kingdom, That all means by which comfort and life should be conveyed to that gasping Kingdom seemed to be totally obstructed, and that unless timely relief were afforded, His Loyall Subjects there must yield their Fortunes for a Prey, their Lives for a Sacrifice, and their Religion

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Religion for a Scorn to the mercileſſ Rebels. Upon all which deplorable paſſages, repreſented by Perſons principally intereſſed in the managing of the affairs of that Kingdom and the War there, in which number were S^r William Parſons, S^r John Temple, S^r Adam Loſtus, and S^r Robert Meredith, Perſons of great eſtimation with your Lordſhips (to which we could adde many other Advices and Letters from ſeveral men of Repute and Quality, but that we will not trouble your Lordſhips with repetition of private Advices) we cannot think but your Lordſhips are now ſatisfied, that the Neceſſities of that Kingdom, which were the ground of the Ceſſation there, were reall, and not pretended: and therefore for Excuses, we leave them to them who ſtand in need of them; and we deſire your Lordſhips to conſider, as the diſtracted condition of this Kingdom was, what other way could be imagined for the preſervation of that Kingdom then by giving way to that Ceſſation. And though it is inſiſted on in your Lordſhips Paper, that ſome Proteſtants in *Ulſter*, *Munſter* and *Connaught*, (who have reſuſed to ſubmit to that Ceſſation) have yet ſubſiſted; yet your Lordſhips well know theſe were generally of the *Scotiſh* Nation, who had ſtrong Garrifons provided and appointed to them, and were in thoſe parts of *Ireland* near the Kingdom of *Scotland*, whence more ready ſupplies of Victuals might be had then the *Engliſh* could have from *England*, and for whoſe ſupply (as His Maſteſty hath been credibly informed, and we believe that your Lordſhips know it to be true) ſpecial care was taken, when the *Engliſh* Forces and other *Engliſh* Proteſtant Subjects there were neglected, whereby they were expoſed to apparent Deſtruction by Sword and Famine. And we cannot but wonder at the Aſſertion, That His Maſteſties Forces have, as much as lay in them, endeavourd to prevent thoſe Supplies for *Ireland*, and at the mention of the intercepting thoſe Proviſions near *Coventry*, with His Maſteſties own knowledge and direction; whereas, as we have formerly acquainted your Lordſhips, it was not known to His Maſteſty that thoſe Proviſions which were taken near *Coventry* going thither, when His Maſteſties Forces were before it, were intended for *Ireland*, till after the ſeiſure thereof, when it was impoſſible to recover them from the Souldiers; which might have been prevented, if a ſafe Conduſt had been deſired through His Maſteſties Quarters, which we are aſſured He would have readily granted for thoſe or any other Supplies for that Kingdom, but was never asked of Him. And as there is no particular inſtance of any other Proviſions for *Ireland* intercepted by His Maſteſties Forces but thoſe near *Coventry*, which were conſiderable; ſo we can aſſure your Lordſhips, that when His Maſteſty was in the greateſt wants of all Proviſions, and might have readily made uſe of ſome provided for *Ireland*, lying in Magazines within His Quarters, yet He gave expreſs Order for the ſending them away, which was done accordingly, and would have ſupplied them further out of His own ſtore, if He had been able. And no man can be unſatisfied of His Maſteſties tender ſenſe of the Miſeries of His Proteſtant Subjects in *Ireland*, when they ſhall remember how

readily He gave His Royal Assent to any Proposition or Acts for raising of Men, Moneys, and Arms for them; that He offered to pass over in Person for their relief, (which His Majesties Subjects of *Scotland* approved, and declared it to be an argument of Care in His Majesty,) and if that had proceeded, it might in possibility have quenched the flames of that unhappy Rebellion, as long before it might probably have been prevented, if the Army of *Irish* Natives there had been suffered to have been transported out of that Kingdom, as was directed by His Majesty.

What Provisions are lately sent or are now sending to *Ireland* from the two Houses, we know not: but His Majesty hath been informed, that even those Provisions are designed in pursuance of the late Treaty concerning *Ireland* made with His Subjects of *Scotland* without His Majesties Consent, and onely for such who have declared themselves against His Majesties Ministers, and in opposition to that Cessation to which many of them had formerly consented, though they have since, upon private Interest and the encouragement and solicitations of others, opposed the same: and therefore His Majesty cannot look upon those Supplies as a support for the Warre against the *Irish* Rebels, or as a repayment of those moneys which being raised by Acts of Parliament for that Warre, have been formerly diverted to other uses, of which money 100000 l. at one time was issued out for the payment of the Forces under the Earl of *Essex*.

And as to diverting the Forces provided for the reducing of *Ireland*, though we conceived it ought not to be objected to His Majesty, considering the Forces under the Command of the Lord *Wharton*, raised for *Ireland*, had been formerly diverted and imployed against Him in the Warre here in *England*: yet it is evident they were not brought over till after the Cessation, when they could no longer subsist there, and that there was no present use for them; and before those Forces brought over, there was an attempt to bring the *Scotish* Forces in *Ireland*, as likewise divers of the *English* Officers there, into this Kingdom; and since the Earl of *Leven* their Generall and divers *Scotch* Forces were actually brought over.

To the Allegations that many Persons of all sorts have forsaken the Kingdom, rather then they would submit to that Cessation, we know of none: but it is manifest, that divers who had left that Kingdom, because they would have been famished if they had continued there, since that Cessation have returned.

Touching the Committee sent into *Ireland*, we have already answered, they were not discountenanced by His Majesty in what they lawfully might doe, although they went without His Privity, but conceive your Lordships will not insist that they should sit with the Privy Council there, and assume to themselves to advise and interpose as Privy Councillors. And we again deny the Subscriptions of the Officers of the Army was diverted by His Majesty; and it is well known that
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some Officers apprehending upon some speeches, that the drift in requiring Subscriptions was to engage the Army against His Majesty, in detestation thereof upon those speeches rent the book of Subscription in pieces.

For the diversion of the Moneys raised for that Warre, if they had been since repaid, (the contrary whereof is credibly informed to His Majesty,) yet that present Diversion might be, and we believe was, a great means of the future Wants of that Kingdome which induced the Cessation. As to the Lord *Wharton's* Commission, we conceive we have already fully satisfied your Lordships the just Reasons thereof.

For the Letters whereof your Lordships had Copies, we conceive that you being thereby satisfied of the Contents, and that they came from the Lords Justices and Council there, your Lordships need not doubt of the truth of the matter: and for the Names of the single Persons subscribing, we cannot conceive it is desired for any other purpose, then to be made use of against such of them as should come into your Quarters, you having not granted, though desired, that it shall not turn to their prejudice if we should give in their Names.

Upon what hath been said it appears, that His Majesties *English* Protestant Subjects in *Ireland* could not subsist without a Cessation: and that the Warre there cannot be maintained or prosecuted to the subduing of the Rebels there, during the continuance of this unnatural Warre here, is evident to any man that shall consider, that this Kingdom labouring in a Warre which imployes all the Force and Wealth at home, cannot nor will spare considerable Supplies to send abroad; or if it could, yet whiles there are mutual Jealousies, that there cannot be that concurrence in joynt Advices betwixt the King and the two Houses, as will be necessary if that Warre be prosecuted; and that His Majesty cannot condescend, or your Lordships in Reason expect His Majesty should by His Consent to Acts of Parliament for the managing of that Warre, and raising moneys to that purpose, put so great a Power into their hands who, during these Troubles, may, if they will, turn that Power against Him; and it is apparent, that the continuance of the Warre here must inevitably cause the continuance of the Miseries there, and endanger the rending of that Kingdom from this Crown.

The King's Commissioners other Paper.

20. February.

WE do very much wonder that it doth not clearly appear to your Lordships, that upon any difference between the Committees of both Kingdoms in the managing the Warre of *Ireland*, (in the manner proposed by your Lordships) the Warre there must stand still or be dissolved: for if the Ordinance of the 11th of *April* be by His Majesties Royal Assent made an Act of Parliament, (as your Lordships desire) all the Forces of that Kingdom, both *British* and *Scotish*, are put under the absolute

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solute Command of the Earl of *Leven* the *Scotish* General, and the managing the War committed wholly to the Committee of both Kingdoms, without any reference to the two Houses of the Parliament of *England* by themselves: so that whatsoever your Lordships say of your intentions, that the two Houses of Parliament here shall upon such difference manage the War, (which yet you say must be observing the Treaty of the 6th of *August*, and the said Ordinance of the 11th of *April*,) it is very evident if that Ordinance should be made a Law, the War must stand still or be dissolved, upon difference of opinion between the Committee of both Kingdoms, or else the Earl of *Leven* must carry on that Warre according to his discretion, for he is in no degree bound to observe the Orders or Directions of the Houses of Parliament in *England* by themselves. Neither doth the asking His Majesties Consent at all alter the case from what we stated it to your Lordships in our Paper of the 20. of this instant; for we said then, and we say still, that if His Majesty should consent to what you propose, He would devest Himself of all His Royal Power in that Kingdom, and reserve no Power or Authority in Himself over that War, which is most necessary for His Kingly Office to doe. For your Lordships expression, *when there shall be a Lieutenant of Ireland*, we presume your Lordships cannot but be informed that His Majesty hath made, and we doubt not but you acknowledge He hath Power to make, the Lord Marquess of *Ormond* His Lieutenant of that Kingdom, and who is very well able to manage and carry on that War, in such manner as shall be thought necessary for the good of that Kingdom; and there is no question but that the naming the Earl of *Leven* to be General, to receive Orders onely from the joynt Committee of both Kingdoms, doth more take away the Power of the two Houses here, then if he were a Native of this Kingdom, and to obey the Orders of the two Houses. And we conceive it evident, that the giving the absolute Command of all Forces, both *British* and *Scotish*, to the Earl of *Leven*, General of the *Scotish* Forces, who is to manage the Warre according to the Directions of the joynt Committee of both Kingdoms, doth not amount to less then to deliver the whole Kingdom of *Ireland* over into the hands of His Majesties Subjects of the Kingdom of *Scotland*: and therefore we must ask your Lordships pardon, to believe our selves obliged in Prudence, Honour and Conscience, very much to insist on that Consideration, and very earnestly to recommend the same to your Lordships. And we conceive it most conducing to the good of His Majesties Service and of that Kingdom, that the Lieutenant and Judges there be nominated (as they have alwaies been) by His Majesty, who will be sure to employ none in places of so great Trust, but such whose known Ability and Integrity shall make them worthy; and if at any time He shall finde Himself deceived by those He shall chuse, can best make them examples of His Justice, as they have been of His Grace and Favour. And we beseech your Lordships to consider how impossible it is for His Majesty to receive that measure of Duty, Reverence and Application which is due to Him, and
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His Royal Progenitors have always enjoyed, if it be not in His own immediate power to reward those whom He shall by experience discern worthy of publick Trust and Imployment. We have made no difficulty to your Lordships of His Majesties consenting to Acts for the raising of moneys, and other necessities for the settling of the true Protestant Religion in that Kingdom; onely we think it unreasonable that His Majesty should engage Himself (as is proposed) to pass all such Acts as shall be presented to Him, before He know whether such Acts are reasonable or no, and whether those (*other necessities*) may not comprehend what in truth is not onely unnecessary, but very inconvenient. Neither will the Argument, that the moneys are to be raised from His Subjects without any charge to Himself, seem reasonable to His Majesty, His Majesty considering His own charge much less then the damage and pressures which may thereby befall His good Subjects, the preserving them from which is His Majesties most sollicitous and earnest desire. And we cannot but wonder that your Lordships should conceive any Expressions made by us, concerning the prosecution of that War of *Ireland*, to be unagreeable to the zeal of persons abundantly sensible of the blood and horreur of that Rebellion. We agree with you, they have broken the Laws of God and Man, their Faith, their Allegiance, the bonds of Charity, rules of Humanity and humane Society, and we heartily wish that it were in His Majesties power to doe Justice upon, and make up those breaches of all those Rules and bonds; and to that purpose we have desired to be satisfied by your Lordships what probable course may be taken for the remedying those mischiefs, and preserving the remainder of His Majesties good Protestant Subjects: but without doubt the prosecution of that Warre so much depends upon the condition and Distractions of His Majesties other Kingdoms, that the information your Lordships give us of the negotiation with *Spain* and other States, for delivering up that Kingdom from His Majesties Obedience into the hands of Strangers, deserves the most strict consideration, how His Majesties two other Kingdoms can be applied to the relief of the third, whilst these Distractions are in their own Bowels, and the continuance of the Miseries in the two must render those in the third remediless, if it be not preserved by some other means then the prosecution of the Warre. Neither can it be foreseen or determined what help or Assistance either party may make use of, where it findes it self oppressed and overpowered by the other, especially when it calls in any help, and leaves no means unattempted to destroy the other. And we beseech your Lordships, in the Bowels of Christian Charity and Compassion, and in the name of Him who is the Prince of Peace, and who will make an inquisition for blood, to consider whether all our endeavours ought not to be, to stop these bloody issues in all His Majesties Dominions; and whether the just God of Heaven, who for our Sins hath made the several Nations under His Majesties Government to be Scourges of one another, and of His Majesty Himself, under Whose Obedience they should all live,

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can be delighted with the sacrifice of blood, and the blood of Christians; and whether it would not be more agreeable to our Christian profession, to endeavour the binding up of those wounds which Interests, Passion and Animosity have made. We desire your Lordships to consider these things, and to make such Propositions to us concerning *Ireland*, (since it is apparent, that those already made by you are by no means fit to be consented to) as may be for the growth and propagation of the true Protestant Religion, the Peace and Happiness of that Kingdom, and the welfare of all His Majesties Dominions.

The last of the six dayes concerning Ireland being now spent, being the last of the 18 appointed to treat upon Religion, Militia and Ireland, by three daies apiece, alternis vicibus, according to the order formerly proposed, the two remaining daies were employed for the most part concerning Religion: but towards the end of these two daies, being the last of the Treaty (about 12 of the clock at night) they delivered in these two following Papers concerning Ireland, in Answer to the two last Papers.

Their Paper.

22. Feb.

CLXXVII.

WE are very sorry that your Lordships should continue in that opinion, that it was necessary to make the Cessation in *Ireland*, when by undeniable proofs, and consideration of all circumstances, it is most clear, that the Necessities alleged for grounds of that Cessation were made by design of the Popish and Prelatical party in *England* and *Ireland*, who so wickedly contrived the same, that the Provisions sent thither by the Parliament for relief of His Majesties good Subjects in *Ireland*, were disposed of and afforded to the Rebels there in their greatest wants, and then when your Lordships affirm the Protestants to be in so great extremity: and even at that time also when the Officers of our Army and Garrisons, pressing for leave to march into the Enemies Country, to live upon them, and save their own stores, some, who were driven forth, had great quantities of provisions out with them, yet were not permitted to march into the Enemies Country, but kept near *Dublin*, until their Provisions were spent, and then commanded back again; others could not obtain leave to goe forth, but were commanded to stay at home, that their own provisions might be the sooner consumed, and thereby the Necessity made greater. Notwithstanding, by the care of both Houses of Parliament here for their supply, they were able to subsist, and did subsist at the time of that Cessation, although the making thereof reduced them to farre greater Necessities then otherwise they could have suffered, besides the notorious advantage thereby to the Rebels, when their wants and extremities were most pressing. And we should not again have troubled your Lordships with these Answers, had they not been caused by your own repetition of the Letters, of part whereof you have given us Copies, though not the knowledge of the Persons from whom they came; only you were pleased to mention the Lords Justices and Council there: yet we are assured, even by some who were of the Council at that time when the Letters were written, that the same was done only to press for Supplies from hence, without the least intention in them of inducing a Cessation; neither do the Copies contain any thing tending to a Cessation, or the least mention thereof. And we have cause to grieve, not only at what your Lordships express concerning the complaints from *Ireland* and their great Extremities, but that the same being procured and increased by the Popish Party, yet we should find such earnest endeavours to lay the blame and neglect therein upon the two Houses of Parliament here, who have been so zealous for their relief, and whose only care (under the blessing of God) hath been their preservation, and that in the heat of our own miserable Distractions have continued their Supplies, and from

from our own great Wants have not spared to afford our Brethren there the means of their subsistence.

The Protestants in *Munster*, *Connaught* and *Ulster*, who opposed this Cessation, were many of them *English*, and both they and the *Scots* suffering under as great Wants and failer of Supplies as the Protestants in other places, and in no better posture of their own defence, notwithstanding in a true sense of their own Duty and Conscience, they have opposed and still do oppose the same: neither were the *English* there neglected, as your Lordships have been misinformed by such who labour to destroy both Nations, and, as a means thereto, to divide them.

Besides the goods seized near *Coventry*, we have mentioned other particulars asserted to be seized, not without His Majesties own knowledge and direction, as we are informed, and are most unwilling to believe: Neither do we understand it to be an excuse for seizing some goods, to say that His Majesty did forbear to seize others in His Power; but when His Majesty shall rightly ponder the Horridness of that Rebellion, we hope those wicked Instruments who contrived and do support the same, will have no power to alter His Majesties tender sense of the Miseries of His Protestant Subjects in that Kingdom, nor at all to lessen His Piety and gracious Care for quenching the flames of that unhappy Rebellion.

We do again affirm unto your Lordships the truth of what we said before concerning the Supplies of *Ireland* by the two Houses; and it seems strange, that what hath been lately sent should not be looked upon as a support of the Warre against the Rebels, by which only the Protestants were enabled to defend themselves, and to infect their Enemies: nor can we imagine any other means as a support of that just Warre, being most assured that if this had not been done, the Rebels must certainly have prevailed, and the remnant of His Majesties good Subjects of that Kingdom have perished.

Your Lordships are pleased to remember some moneys by us employed, particularly one hundred thousand Pounds, which was raised for *Ireland*, all which have been re-satisfied with advantage; and we must, as often as you are pleased to repeat it, referre your Lordships to our former just and clear Answers concerning the same, and the like for the Forces under the Command of the Lord *Wharton*. And we believe what your Lordships express concerning the Forces brought hither to His Majesty out of *Ireland* after the Cessation, it being one end for which the Cessation was made, that those Forces might be employed against the two Houses of Parliament here; and those *Scotish* Forces which came over, were not sent for.

We know of no Persons who have returned into *Ireland* since the Cessation, except such as were Agents for the procuring thereof, and divers principal Rebels who presumed to address themselves unto His Majesty at *Oxford*, and were there countenanced.

It is probable that some might endeavour to alienate the hearts of the Officers of the Army there from the two Houses, whereby their service against the Rebels might be interrupted.

To that particular of the Subscriptions of the Officers, and of the Committee sent into *Ireland*, and of the diversions of Moneys alleged, and of the Copies of Letters given us by your Lordships, without the Names of those who subscribed them, we have already given your Lordships a full and clear Answer; but have not received satisfaction concerning the denial of the Lord *Wharton's* Commission, whereby the Service of that Kingdom was much prejudiced.

It is so farre from being made appear that His Majesties *English* Protestant Subjects in *Ireland* could not subsist without a Cessation, that the contrary is undeniable, and that His Majesties Protestant Subjects there, both *English* and *Scotish*, who have opposed that Cessation, have subsisted, and do still subsist; and we are sorry to find any inclination to continue that Cessation, which whensoever made, will be esteemed by all good Protestants a countenancing of that bloody Rebellion.

We do insist upon our former Demands concerning *Ireland*; and doubt not but those being granted, notwithstanding our present miserable Distractions here, we

shall (by the blessing of God) bring those bloody Rebels to a speedy and just punishment, and settle that unhappy Kingdom in their due Obedience to His Majesty and the Crown of *England*.

Their other Paper.

22. Feb.

CLXXVIII. IT is not possible for us to give a more clear Answer then we have done, to shew that there can no such Inconvenience follow upon confirming the Ordinance of the 11. of *April* by Act of Parliament as your Lordships do imagine; it being desired that the Treaty of the sixth of *August* be in like manner confirmed, by which the Commanders of the *Scottish* Forces in *Ireland* are to be answerable to His Majesty and the two Houses of Parliament of *England* for their whole deportment and proceeding there; and it being desired by the 13. Proposition, that the prosecutions of the Warre of *Ireland* should be settled in both Houses of Parliament: all which taken together, it cannot follow, that upon any disagreement between the Committees there, the Earl of *Leven* may carry on the Warre according to his own discretion. As for our expression [*when there shall be a Lieutenant in Ireland*] which was used in Answer to your Lordships second Paper of the 20. of *February*, it was to satisfie your Lordships, that there could be no interfering between the powers of the Lord Lieutenant and of the Earl of *Leven*; and still we say, when there shall be a Lord Lieutenant chosen as is expressed in our 20. Proposition, (for we do not admit the Marquess of *Ormond* to be so) the Commander in chief of the *Scottish* Army is to receive Instructions from him, in such manner as we have laid it down in that Answer of ours to your Lordships Paper above mentioned: which will, we hope, satisfie your Lordships other Objection, that this is not to deliver over the whole Kingdom of *Ireland* into the hands of His Majesties Subjects of the Kingdom of *Scotland*, seeing such of that Nation as are there imployed are to be subordinate to the Committee of both Kingdoms, and in case of disagreement, an appeal lies to the two Houses of the Parliament of *England*, in whom the power of prosecuting the Warre is to be settled. And we must insist to desire that the Lord Lieutenant and the Judges in that Kingdom may be nominated by the two Houses of Parliament, who have by sad experience (to the great cost of this Kingdom, expence of so much Treasure and Blood, the loss of many thousand Lives there, and almost of that whole Kingdom from His Majesties Obedience, and an inestimable prejudice to the true Protestant Religion) found the ill consequence of a bad choice of persons for those great places of Trust. Therefore for His Majesties Honour, the good of His Service, the great advantage it will be to the rest of His Majesties Dominions, the great comfort to all good Christians, and even an acceptable service to God himself, for the attaining of so much good and the prevention of so much evil, they desire to have the nomination of those great Officers, that by a prudent and careful Election they may, by providing for the good of that now-miserable Kingdom, discharge their Duty to God, the King, and their Country. And certainly, if it be necessary to reduce that Kingdom, and that the Parliament of *England* be a faithful Council to His Majesty, and fit to be trusted with the prosecution of that Warre, (which His Majesty was once pleased to put into their hands, and they faithfully discharged their parts in it, notwithstanding many practices to obstruct their proceedings, as is set forth in several Declarations of Parliament) then, we say, your Lordships need not think it unreasonable that His Majesty should ingage Himself to pass such Acts as shall be presented to Him for raising Moneys and other necessities for that Warre: for if the Warre be necessary (as never Warre was more) that which is necessary for the maintaining of it must be had, and the Parliament that doth undertake and manage it, must needs know what will be necessary, and the People of *England*, who have trusted them with their Purse, will never begrudge what they make them lay out upon that occasion. Nor need His Majesty fear the Parliament will press more upon the Subject then is fit in proportion to the occasion. It is true that heretofore Persons about His Majesty have endeavoured and prevailed

prevailed too much, in possessing Him against the Parliament for not giving away the money of the Subject when His Majesty had desired it; but never yet did His Majesty restrain them from it, and we hope it will not be thought that this is a fit occasion to begin. We are very glad to find that your Lordships are so sensible in your expressions of the Blood and Horrour of that Rebellion, and it is without all question in His Majesties Power to doe Justice upon it, if your Lordships be willing that the Cessation and all Treaties with those bloody and unnatural Rebels be made void, and that the prosecution of the Warre be settled in the two Houses of the Parliament of *England*, to be managed by the joynt advice of both Kingdoms, and the King to assist, and to doe no Act to discountenance or molest them therein. This we dare affirm to be more then a probable course for the remedying those mischiefs, and preserving the remainder of His Majesties good Subjects there. We cannot believe your Lordships will think it fit there can be any Agreement of Peace, any respite from Hostility, with such Creatures as are not fit to live, no more then with Wolves or Tigers, or any ravenous Beasts, destroyers of mankind. And we beseech you, do not think it must depend upon the condition of His Majesties other Kingdoms to revenge or not revenge God's Quarrel upon such perfidious Enemies to the Gospel of Christ, who have imbrued their hands in so much Protestant blood; but consider the Cessation that is made with them is for their advantage, and rather a Protection then a Cessation of Acts of Hostility, as if it had been all of their own contriving; Arms, Ammunition, and all manner of Commodities may be brought unto them; and they may furnish themselves, during this Cessation, and be assisted and protected in so doing, that afterwards they may the better destroy the small remainder of His Majesties Protestant Subjects. We beseech your Lordships in the bowels of Christian Charity and compassion to so many poor Souls who must perish, if the strength of that raging Adversary be not broken, and in the Name of Him who is the Prince of Peace, who hates to be at Peace with such shedders of Blood, give not your consents to the continuation of this Cessation of Warre in *Ireland*, and less to the making of any Peace there, till Justice have been fully executed upon the Actors of that accursed Rebellion. Let not the Judgement of Warre within this Kingdom, which God hath laid upon us for our Sins, be encreased by so great a Sin as any Peace or Friendship with them: whatsoever becomes of us, if we must perish, yet let us goe to our graves with that comfort, that we have not made Peace with the Enemies of Christ, yea even Enemies of mankind, declared and unreconciled Enemies to our Religion and Nation: let not our Warre be a hindrance to that Warre, for we are sure that Peace will be a hindrance to our Peace. We desire Warre there as much as we do Peace here: for both we are willing to lay out our Estates, our Lives, and all that is dear unto us in this World; and we have made Propositions unto your Lordships for both, if you were pleased to agree unto them. We can but look up to God Almighty, beseech him to encline your hearts, and casting our selves on him, wait his good time for the return of our Prayers in settling a safe and happy Peace here, and giving success to our Endeavours in the prosecution of the Warre of *Ireland*.

It had been used by the Commissioners during the Treaty, that when Papers were delivered in of such length, and so late at night that present particular Answers could not be given, by agreement between themselves to accept the Answers the next day, dated as of the day before, although they were Treating of another Subject; and these two last Papers concerning Ireland being of such great length, and delivered about twelve of the clock at night, when the Treaty in time was expiring, so as no Answer could be given without such consent and agreement, therefore the King's Commissioners delivered in this Paper.

22. February.

YOur Lordships cannot expect a particular Answer from us this night to the two long Papers concerning *Ireland*, delivered to us by your
(Xx 2) Lord-CLXXIX.

Lordships about twelve of the clock this night: but since there are many particulars in those Papers to which, if they had been before mentioned, we could have given your Lordships full satisfaction, and for that we presume your Lordships are very willing to be satisfied in those particulars which so highly reflect upon His Majesty, we desire your Lordships to receive the Answers which we shall prepare to those Papers in the evening to morrow, dated as of this night, and we doubt not to give your Lordships clear satisfaction therein.

This desire was not granted, nor any Paper delivered in Answer to it, but soon after the Treaty broke off.

*During the Twenty dayes Treaty upon Religion, Militia, and Ireland, the particular passages whereof are before expressed, some other passages did occurre concerning His Majesties Propositions, and particularly for a * Cessation, and touching His Majesties return to Westminster after disbanding of Armies, and further time for continuing or renewing the Treaty, which do here follow. And first touching His Majesties Propositions, the Kings Commissioners delivered in this Paper the second day of the Treaty.*

* It is the sixth of His Majesties Propositions.

CLXXX.
See His Majesties Propositions, n. 8. and the Letter from the Earl of Essex, n. 9. that their Commissioners should have Instructions to Treat upon the.

1. February.

WE desire to know whether your Lordships have any Instructions concerning His Majesties Propositions, for settling a safe and well-grounded Peace; and if you have any touching the same, we desire to have a sight of them.

Their Answer.

1. Feb.

CLXXXI.

WE have not yet received Instructions concerning His Majesties Propositions, and shall therefore acquaint the Lords and Commons assembled in the Parliament of *England* with the desires expressed in that Paper, who having taken those Instructions into their consideration before our coming from them, will send them to us in time convenient.

After, upon the third of February, His Majesties Commissioners delivered this Paper concerning His Majesties sixth Proposition, for a Cessation of Arms.

3. February.

CLXXXII.

WE desire to know whether your Lordships have received any Instructions concerning that Proposition of His Majesties for a Cessation; and if your Lordships have not received any, that you will endeavour to procure Authority to Treat thereupon, which we have power to doe, and conceive it very necessary, that during the time we are endeavouring to establish a blessed and happy Peace, the issues of blood may be stopped in this miserable Kingdom, and His Majesties oppressed and languishing Subjects have some earnest and prospect of the Peace we are endeavouring, by God's blessing, to procure for them.

To this no particular Answer was given.

The

The King's Commissioners Paper.

10. February.

HAVING now spent three days severally upon each of your Lordships CLXXXIII.
three Propositions, concerning Religion, the Militia, and Ireland, we
desire to know whether your Lordships have received any Instructions
concerning His Majesties Propositions, that we may prepare our selves to
Treat upon them when your Lordships shall think fit.

Their Answer.

11. Febr.

WE have received Instructions concerning His Majesties Propositions ; and CLXXXIV.
when the Houses of Parliament shall be satisfied in the good Progres of the
Treaty upon their Propositions concerning Religion, the Militia, and Ireland, they
will give time for the Treaty upon those Propositions sent by His Majesty.

But there was not any time given to Treat upon His Majesties Propositions.

*Touching further time for continuing or reviving the Treaty, and His Majesties Re-
turn to Westminster after disbanding, these Papers were delivered.*

The King's Commissioners Paper.

14. Feb.

WE have this day received Directions from His Majesty to move CLXXXV.
your Lordships, that you will endeavour to procure an addi-
tion of time for this Treaty after the expiration of the dayes limited for
the same, upon the Reasons mentioned in His Majesties Letter, which
Letter we herewith deliver to your Lordships.

*The Letter mentioned in the last Paper, from His Majesty to His Commis-
sioners, is this.*

Right Trusty, &c. Having received from you a particular ac- CLXXXVI.
compt of your proceedings in the Treaty, and observing
thereby how impossible it is within the dayes limited to give
such full Answers to the three Propositions you are now upon, as
you might, if upon Consideration had of the rest of the Propositi-
ons, you could clearly see what fruit such Answers will produce in
order to a blessed Peace for the present, and the future good and
Happiness of this Kingdom ; We have thought it fit to advise you,
that you propose and desire of the Commissioners with whom you
Treat, that they will procure such farther time to be allowed, after
the expiration of the Twenty dayes, as may be sufficient for you,
upon a full understanding one of another upon the whole, to make
such a Conclusion, that all Our Subjects may reap the Benefit good

(X x 3)

men

The Treaty at Uxbridge.

men pray for, Deliverance from these bloody Distractions, and be united in Peace and Charity: And if you think fit, you may communicate this Our Letter to them. And so We bid you heartily farewell.

Given at Our Court at Oxford, 13. Feb. 1644.

By His Majesties Command.
George Digby.

To our Right Trusty, &c.
the Lords and others Our
Commissioners for the Treaty
at Uxbridge.

Their Answer.

14. Feb.

CLXXXVII. **C**ONCERNING the Paper delivered by your Lordships for addition of time for the Treaty, we can give no other Answer, then that we will send Copies of His Majesties Letter and of the Paper unto the Houses of Parliament, and after signification of their pleasure we will give further Answer.

Afterwards on the 18. of Feb. they delivered this Paper.

18. February.

CLXXXVIII. **Y**OUR Lordships may please to take notice, that in the twenty dayes appointed to Treat upon the Propositions concerning *Religion, Militia, and Ireland*, the first Thursday and three Sundayes are not to be included.

The King's Commissioners Paper.

20. February.

CLXXXIX. **B**Y our Paper delivered to your Lordships the 14th of this moneth, we moved your Lordships to endeavour an addition of time for this Treaty after the expiration of the dayes limited for the same, upon the Reasons mentioned in His Majesties Letter; which Letter we then delivered to your Lordships: whereunto your Lordships then returned Answer, that you would send Copies of His Majesties Letter and of our Paper to the Houses of Parliament, and after signification of their pleasure, you would give farther Answer. We now desire to know whether there may be an addition of time for this Treaty after the expiration of the dayes limited for the same, upon the Reasons mentioned in His Majesties said Letter, and what time may be added.

Their Answer.

20. Feb.

CXC. **Y**OUR Lordships Paper of the 14. of this moneth, for an addition of time for this Treaty, together with His Majesties Letter concerning the same, were sent by us to the Houses of Parliament, who (* as we have already acquainted your Lordships) have declared, That if they shall be satisfied in the good progress of the Treaty upon the Propositions concerning *Religion, the Militia, and Ireland*, they will give time for

* See their Paper
before, 11. Feb.
n. n. 184.

for the Treaty upon the Propositions by His Majesty; but farther then this have not as yet signified their pleasures unto us.

The King's Commissioners Paper.

20. February.

HAVING now spent 18 dayes with your Lordships in the Treaty upon Religion, the Militia, and Ireland, and besides the present satisfaction we have given your Lordships in those particulars, we having offered that further consideration and order be taken therein by His Majesty and the two Houses of Parliament, and your Lordships having proposed many important things in the said several particulars to be framed, settled and disposed by the two Houses before a full Agreement can be established; we propose to your Lordships, whether the two dayes remaining may not be best spent towards the satisfying your Lordships in those three Propositions, and the procuring a speedy blessed Peace, upon finding out some expedient for His Majesties repair to Westminster, that so all Differences may be composed, and this poor Kingdom be restored to its ancient Happines and Security: and to that purpose, if your Lordships shall think fit, we are willing to Treat with your Lordships concerning the best means whereby (all Armies being first disbanded) His Majesty may with Honour, Freedom and Safety, be present with His two Houses of Parliament at Westminster. To which two particulars, that is, first concerning the Disbanding all Armies, and then for His Majesties speedy repair and residing at Westminster with Honour, Freedom and Safety, we shall (if your Lordships think fit) apply our selves; and accordingly to morrow will be ready to deliver to your Lordships some Propositions upon that Subject: And if your Lordships shall concur with us herein, we hope it will be a good inducement to procure an addition of time to this Treaty, according to His Majesties Proposition in His late Letter to us, which we delivered to your Lordships.

CXCI

Their Paper.

20. Feb.

WE shall, according to mutual agreement between His Majesty and the two Houses of the Parliament of England, and the Commissioners for the Parliament of Scotland, Treat these two remaining dayes upon the three Propositions for Religion, the Militia, and Ireland, and shall be glad to receive satisfaction in them from your Lordships, as the best expedient for procuring a speedy and blessed Peace, that the Armies may be disbanded, and the Happines of His Majesties Presence may again be enjoyed by those who have nothing more in their prayers and endeavours, then by His Majesties Conjunction with His Parliament to see all these sad Differences composed, and these distracted Kingdoms restored to their Ancient Happines and Security: Accordingly we shall be ready to begin again to morrow upon the Propositions for Religion, and receive what your Lordships will propose: and being satisfied upon that and the other two Propositions, we are confident we shall have further time given us to Treat upon such other particulars as shall be necessary for the attaining of those ends we all desire.

CXCII

There was no other Answer given concerning His Majesties Commissioners desire to
(X x 4) *Treat*

Treat touching His Return to Westminster, and Disbanding Armies; whereupon His Majesties Commissioners delivered this Paper.

20. February.

CXCIII.

WE conceive that the Reasons why your Lordships do not give us any Answer to our Paper concerning the Treating for the Disbanding all Armies, and for His Majesties coming to *Westminster*, may be, because you have no Authority by your Instructions so to doe, though we proposed the same to your Lordships, and do still conceive it most conducing to the conclusion of the Propositions upon *Religion*, the *Militia*, and *Ireland*, upon which we have Treated; and we therefore desire your Lordships, that you will endeavour to have your Instructions so enlarged, that we may Treat upon so important and necessary an Expedient for the publick Peace. In the mean time we shall be ready to receive whatsoever your Lordships please to propose in the business of *Religion*, presuming that if your Lordships are not satisfied with our Answer therein, in which we have applied Remedies to whatsoever hath ever been complained of as a Grievance in the present Government of the Church, that your Lordships will make it appear * that the Government by Bishops is unlawful, or that the Government you intend to introduce in the room thereof is the onely Government that is agreeable to the Word of God: either of which being made evident to us, we shall immediately give your Lordships full satisfaction in that you propose.

* See their Paper, num 68. referring to this.

The King's Commissioners Paper.

22. February.

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BY our Paper delivered to your Lordships 1. February, we did desire to know whether your Lordships have any Instructions concerning His Majesties Propositions for settling a safe and well-grounded Peace; and by our Paper of the third of Feb. we did desire to know whether your Lordships had received any Instructions concerning that Proposition of His Majesties for a Cessation, and if your Lordships had not received any, that you would endeavour to procure authority to Treat thereupon; and by our Paper of the tenth of Feb. we did desire to know whether your Lordships had received any Instructions concerning His Majesties Propositions, that we might prepare our selves to Treat upon them when your Lordships should think fit; and by our Paper delivered to your Lordships 14th Feb. we moved your Lordships, upon Directions received from His Majesty, that you would endeavour to procure an addition of time for this Treaty after the expiration of the dayes limited for the same, upon the Reasons mentioned in His Majesties Letter, which Letter we then delivered to your Lordships; and by our Paper delivered to your Lordships the twentieth of this moneth, we moved your Lordships to endeavour an addition of time for this Treaty after the expiration of the dayes limited for the same, upon the Reasons mentioned in His Majesties said Letter, to which we have not yet received full Answer;

swer; nor have we yet had any notice from your Lordships whether the two Houses of Parliament have given any further time for this Treaty: and having hitherto, according to the order prescribed us, Treated onely upon the three first heads, of *Religion*, the *Militia*, and *Ireland*, and the twenty days expiring this day, we again desire to know, whether there is any addition of time granted for this Treaty, our safe Conduct being but for two days longer.

Their Answer.

22. Feb.

YOur Lordships Papers of the first, third, and tenth of *Feb.* whether we had any Instructions concerning His Majesties Propositions, and power to Treat for a Cessation, as also your Papers of the 14. and 20. of *Feb.* concerning His Majesties Letter for an addition of time to this Treaty, with your Lordships desire thereupon, have been by us sent up to both Houses of Parliament from time to time as we received them, together with our Answer given to them; and in our Answers we have from time to time declared to your Lordships, that when the Houses shall be satisfied in the good progress of the Treaty upon their Propositions concerning *Religion*, *Militia*, and *Ireland*, they will give an addition of time for the Treaty: And we do conceive, that if your Lordships Answers to our Demands concerning *Religion*, the *Militia*, and *Ireland*, had been such as to have given satisfaction in the good progress of this Treaty, mutually consented to for twenty dayes upon the said Propositions, we should have before this been enabled with power to continue the Treaty as well upon His Majesties as the rest of the Propositions. But your Lordships having not given full and satisfactory Answers concerning *Religion*, the *Militia*, and *Ireland*, you cannot, for the Reasons above mentioned, expect an addition of time; neither have we received any Instructions to continue this Treaty longer then the twenty dayes, of which this is the last. And as for your Lordships safe Conduct, we conceive the three Sundays last past being not accompted any dayes of the Treaty, so this next Sunday is not to be esteemed one of the two dayes allowed after the Treaty in your Lordships safe Conduct, but your Lordships are to have two dayes besides this next Lords day.

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The King's Commissioners Reply.

22. February.

WE cannot express the great sadness of our hearts, that all our earnest endeavours to give your Lordships satisfaction in all particulars of this Treaty have produced no better effects towards a blessed Peace, which His Majesty and we who are trusted by Him do so heartily pray for, and that so many and great offers made by us to your Lordships in the particulars we have Treated upon should not be thought a good progress on our part in the said Treaty, as we finde by your Lordships last Paper (to our great grief) they are not, and therefore that this must be the last day of the Treaty. We desire your Lordships to consider, that we being intrusted by His Majesty to Treat with your Lordships for a safe and well-grounded Peace, have upon the matter of your Lordships Propositions consented to so many particulars and alterations of very great importance, and that your Lordships, who were to Treat with us, have not abated one tittle of the most severe and rigorous of your Propositions,

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sitions, saving what you were pleased the last night to propose in the point of Time concerning the *Militia*; which though it seems to be limited to seven years, in truth leaves it as unlimited as it was before in your Propositions, for at the end of seven years, it must not be exercised otherwise then shall be settled by His Majesty and the two Houses of Parliament: so that all the Legal Power now in His Majesty is taken away, and not restored after the seven years expired. Neither is there a full consent to that limitation offered by your Lordships the Commissioners of the Parliament of *Scotland*. Nor have your Lordships offered to us any prospect towards Peace, other then by submitting totally to those Propositions; the which if we should doe, we should consent to such Alterations as by constructions and consequences may dissolve the whole frame of the present Government, both Ecclesiastical and Civil, in this Kingdom. And though the particulars proposed by your Lordships have by Debate appeared not onely evidently unreasonable, but, literally considered, to comprehend things to be extended to Powers not intended by your selves; yet your Lordships have not been pleased either to restrain or interpret any particular in any other manner then as is set forth in the said Propositions.

In the matter of *Religion* we have offered all such Alterations as we conceive may give satisfaction to any Objections that have been or can be made against that Government, and have given your Lordships Reasons not onely why we cannot consent to your Lordships Propositions, but that even those Propositions if consented to could not be in order to a Reformation, or to the procuring the publick Peace. And we must desire your Lordships to remember, that though you do not onely in your Covenant (which you require may be taken by His Majesty, and injoynd to be taken by all His Subjects) undertake the Reformation in point of Government, but even in point of Doctrine too, thereby laying an imputation upon the Religion it self so long professed in this Kingdome with the generall approbation of all Reformed Churches; yet your Lordships have not given us the least Argument, nor so much as intimated in your Debate the least Prejudice to the Doctrine of the Church of *England*, against which we presume you cannot make any colourable Objection; nor have you given us the view in particular of the Government you desire should be submitted to in the place of that you propose to be abolished: and therefore we propose to your Lordships, if the Alterations proposed by us do not give your Lordships satisfaction, that so great an Alteration as the totall Abolition of a Government established by Law may, for the Importance of it, and any Reformation in Doctrine, for the Scandall of it, be suspended, till after the Disbanding of all Armies His Majesty may be present with the two Houses of Parliament, and calling a National Synod, may receive such Advice both from the one and the other as in a matter of so high concernment is necessary; and we are most confident that His Majesty will then follow the Advice which shall be

be given Him. And as any Reformation thus regularly and calmly made must needs prove for the singular Benefit and Honour of the Kingdom; so we must appeal to your Lordships, whether the contrary, that is, an Alteration even to things though in themselves good, can by the Principles of Christian Religion be enforced upon the King or Kingdom.

In the business of the *Militia*, though your Lordships do not deny that the Jealousies and apprehensions of Danger are mutuall, and that the chief end of depositing the *Militia* in the hands of certain Persons is for security against those Jealousies and possible Dangers; yet your Lordships insist, That all those Persons to be entrusted shall be nominated by the two Houses of Parliament in *England* and the Estates of the Parliament in *Scotland*, and that the time for that great, general and unheard-of Trust shall be in such manner, that though it seem to be limited to seven years, yet in truth by declaring, that after those seven years it shall not be otherwise exercised then His Majesty and the two Houses of Parliament shall agree, His Majesty may thereby be totally and for ever devided of the power of the Sword, without which He can neither defend Himself against Foreign Invasions or Domestick Insurrections, nor execute His Kingly Office in the behalf of His Subjects, to whom He is Sworn to give Protection. And to both these your Lordships adde the introducing a Neighbour-Nation, governed by distinct and different Laws (though united under one Sovereign) to a great share in the Government of this Kingdom. In stead of consenting to these Changes, we have offered and proposed to your Lordships, That the Persons to be trusted with the *Militia* of the Kingdom may be nominated between us, or, if that were refused, that an equal number shall be named by you, and the other number by His Majesty, and that half the Forts and places of strength within the Kingdom shall be in the custody of those whom you think fit to be trusted therewith, and the other half in such hands as His Majesty pleases to commit the same to; and all persons, as well those nominated by your Lordships as by His Majesty, to take an Oath for the due discharge of the said Trust: which being considered, as the Security is mutual, so neither part can be supposed to violate the Agreement, without very evident inconvenience and danger to that part who shall so violate it, the whole Kingdom being likely, and indeed obliged, to look upon whosoever shall in the least degree violate this Agreement as the Authors of all the Miseries which the Kingdom shall thereby suffer. And as it is most reasonable that, for this Security, His Majesty should part with so much of His own Power as may make Him even unable to break the Agreement which should be now made by Him and on His part; so it is most necessary that all apprehension and danger of such breach being over, that Sovereign power of the *Militia* should revert into the proper chanel, and be, as it hath always been, in His Majesties proper and peculiar charge. And therefore we have proposed that the time limited for that trust should be for three years,

years, which, by the blessing of God, will produce a perfect understanding between His Majesty and all His People; and if there should be any thing else necessary to be done in this Argument, either for power or time, that the same be considered after the settlement of Peace in Parliament: but whatever is now or hereafter shall be thought necessary to be done, we desire may be so settled, that this Kingdom may depend upon it self, and not be subject to the Laws or Advice of *Scotland*, as we think fit that *Scotland* should not receive Rules or Advice from this, having offered the like for *Scotland* as for *England*.

In the business of *Ireland* your Lordships propose not onely that His Majesty disclaim and make void the Cession made by His Royal Authority, and at the desires of the Lords Justices and Council of that Kingdom, and for the preservation of the remainder of His poor Protestant Subjects there, who were in evident danger of Destruction both by Famine and the Sword, but also to put the whole managery of that Warre and disposal of the Forces within that Kingdom, and consequently the Government of that Kingdom, into the hands of the *Scots* General, to be managed by the Advice of a joynt Committee of both Kingdoms, wherein each should have a Negative Voice: In Answer to which we have acquainted your Lordships with the just grounds of His Majesties proceedings in the business of *Ireland*, which we are confident, being weighed without prejudice, may satisfie all men of His Majesties Piety and Justice therein; and we are very ready and desirous to joyn with your Lordships in any course which may probably preserve and restore that miserable Kingdom.

Having put your Lordships in minde of these particulars, as they have a general reference to the publick good of the Kingdoms, we beseech your Lordships to consider that we have this great Trust reposed in us by His Majesty, and to remember how farre these Propositions trench upon His peculiar Kingly Rights, without any, or any considerable recompence or compensation.

In the business of *Religion*, your Lordships propose the taking away His whole Ecclesiastical Jurisdiction, His Donations and Temporalties of Bishopricks, His first Fruits and Tenths of Bishops, Deans and Chapters, in stead whereof your Lordships do not offer to constitute the least dependence of the Clergie upon His Majesty; and for that so considerable a part of His Revenue, you propose onely the Bishops Lands to be settled on His Majesty, (reserving a power to dispose even those Lands as you shall think fit:) whereas all the Lands both of Bishops, Deans and Chapters (if those Corporations must be dissolved) do undoubtedly belong to His Majesty in His own Right.

In the business of the *Militia*, as it is proposed, His Majesty is so totally devided of the Regal Power of the Sword, that He shall be no more able either to assise any of His Allies with aid, though men were willing to engage themselves voluntarily in that service, or to defend His own Dominions from Rebellion or Invasion, and consequently the whole
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Power of Peace and Warre (the acknowledged and undoubted Right of the Crown) is taken from Him.

In the business of *Ireland*, the power of nominating His Lieutenant or Deputy, and other Officers there, of managing, directing, or in the least manner of meddling in that Warre, or of making a Peace, is proposed to be taken from Him. And to adde to all these attempts upon His Kingly Rights, it is proposed to bereave Him of the Power of a Father, in the Education and Marriage of His own Children, and of a Master, in the rewarding His own Servants. And therefore we referre it to your Lordships, whether it be possible for us, with a good Conscience and discharge of the Trust reposed in us, to consent to the Propositions made to us by your Lordships.

Lastly, we must observe to your Lordships, that after a Warre of near four years, for which the Defence of the Protestant Religion, the Liberty and Property of the Subject and the Privileges of Parliament were made the cause and grounds, in a Treaty of Twenty days, nor indeed in the whole Propositions upon which the Treaty should be, there hath been nothing offered to be Treated concerning the breach of any Law, or of the Liberty or Property of the Subject, or Privilege of Parliament, but onely Propositions for the altering a Government established by Law, and for the making new Laws, by which almost all the old are or may be cancelled; and there hath been nothing insisted on of our part which was not Law, or denied by us that you have demanded as due by Law.

All these things being considered, and being much afflicted that our great hope and expectation of a Peace is for the present frustrated by your Lordships * Declaration, that no more time will be allowed for this Treaty, we are earnest Suitors to your Lordships, that you will interpose with the two Houses, to whom we believe you have transmitted the Answers delivered by us to your Lordships upon *Religion*, the *Militia*, and *Ireland*, that this Treaty, though for the present discontinued, may be revived, and the whole matter of their Propositions, and those sent to them by His Majesty, which have not yet been Treated on, may be considered; and that depending that Treaty, to the end we may not Treat in Blood, there may be a Cessation of Arms, and that the poor People of this Kingdom, now exposed to Plundrings and Spoils and other direfull effects of Warre, may have some earnest of a blessed Peace. And because this Treaty is now expiring, if your Lordships cannot give a present Resolution, we desire when you have represented this to the two Houses, His Majesty may speedily receive their Answer.

* See their last Paper.

Their Answer.

22. Febr.

WE conceive your Lordships cannot in reason expect an Answer to the long Paper delivered to us very late this night at the close of the Treaty, a thing of many daies labour, which we apprehend to be rather a Declaration upon the Treaty,

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then any part thereof, and we could not imagine would be offered: but we cannot forbear, upon the reading thereof, to mention thus much; That it seems by many particulars in that Declaration, it was resolved the Treaty should end with the Twenty daies, the means to continue it being well known to be a good progress in the Propositions for *Religion*, the *Militia*, and *Ireland*, and by what we have received, we cannot find any satisfaction in these was intended to be agreed unto.

To that whereby your Lordships ascribe so much to your own Concessions, we shall only say, That for *Religion* you have granted very little or nothing, but what we are already in possession of by the Laws of this Kingdom. For the business of the *Militia*, your Lordships have not thought fit to consent to any one of our Demands, but in that, as in *Religion*, have made some new Propositions of your own, which are not in any degree sufficient for settling & securing the Peace of the Kingdoms. As for the Propositions for *Ireland*, your Lordships have been so farre from affording a Consent thereto, that you have justified the destructive Cessation there, and strongly implied an intention to renew the same, and have not yielded to any part of our Propositions concerning that Kingdom. We shall represent your Lordships Papers to the Parliaments of both Kingdoms, who, upon due consideration thereof, will doe what is farther necessary for the good and Peace of His Majesties Dominions.

Besides these several Desires above mentioned from time to time for addition and enlargement of time, for continuing and prolonging the Treaty, or if discontinued, that it might be revived, and after a representation to the Houses, their Answer might be sent to His Majesty; in another Paper before, num. 135. upon the Head of the Militia, His Majesties Commissioners did propose, That if the Treaty might not then continue, it might be Adjourned for such time as they should think fit, and not totally dissolve, but be again resumed: which Paper is not here inserted, to avoid repetition, being before upon the Head of the Militia, and to which, as to that point of Adjournment, no Answer was given.

No Papers were given in to their Commissioners in Answer to the last-mentioned Paper, dated the 22. of Feb. num. 197. which came in about two of the clock in the morning after; nor to that of the same date, num. 135. concerning the Militia, which came in with it; nor to their two last concerning Ireland of the 22. of Febr. num. 177, and 178. which came in about 12 of the clock that night: all which were of such length, and delivered upon the close of the Treaty, and those which came in about two of the clock upon the departure of the Commissioners, that it was impossible to give present Answers, nor could any be given after, as part of the Treaty, without consent, which was required by His Majesties Commissioners, but not granted. Neither is any thing here inserted in Answer to those Papers, because by the agreements between the Commissioners in the beginning of the Treaty, nothing was to be taken as part of the Treaty but what should be put in writing. And this Relation is intended only for a Narrative of the Treaty, (conformable to the agreements) without any observations upon it, or additions unto it, other then necessary Introductions and Transitions for coherence, and more clear understanding the Passages of the Treaty.

The Appendix.

*His MAJESTIES Message from Evesham of the
4. of July, 1644.*

To the Lords and Commons of Parliament assembled at *Westminster*.

CHARLES R.

WE being deeply sensible of the Miseries and Calamities of this Our Kingdom, and of the grievous Sufferings of Our poor Subjects, do most earnestly desire that some Expedient may be found out which, by the blessing of God, may prevent the further effusion of blood, and restore the Nation to Peace; from the earnest and constant endeavouring of which as no discouragement given Us on the contrary part shall make Us cease, so no Success on Ours shall ever divert Us. For the effecting whereof We are most ready and willing to condescend to all that shall be for the good of Us and Our People, whether by way of Confirmation of what We have already granted, or of such further Concession as shall be requisite to the giving a full Assurance of the Performance of all our most real Professions, concerning the maintenance of the true Reformed Protestant Religion established in this Kingdom, with due regard to the ease of tender Consciences, the just Privileges of Parliament, and the Liberty and Property of the Subject, according to the Laws of the Land; as also by granting a general Pardon, without or with Exceptions, as shall be thought fit. In order to which blessed Peace, We do desire and propound to the Lords and Commons of Parliament assembled at *Westminster*, That they appoint such and so many Persons as they shall think fit, sufficiently authorized by them, to attend Us at Our Army, upon safe Conduct, to come and return, (which We do hereby grant) and conclude with Us how the Premises, and all other things in question betwixt Us and them, may be fully settled; whereby all unhappy mistakings betwixt Us and Our People being removed, there may be a present Cessation of Arms, and,

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as soon as may be, a total Disbanding of all Armies, the Subject have his due, and We be restored to Our Rights. Wherein if this Our Offer shall be accepted, there shall be nothing wanting on Our part which may make Our People secure and happy.

Given at Our Court at *Evesham* the 4. of *July*, 1644.

*His MAJESTIES Message from Tavestock of the
8. of September, 1644.*

To the Lords and Commons of Parliament assembled at *Westminster*.

CHARLES R.

II. **I**T having pleased God in so eminent a manner lately to bless Our Armies in these parts with success, We do not so much joy in that Blessing for any other consideration, as for the hopes We have that it may be a means to make others lay to heart, as We do, the Miseries brought and continued upon Our Kingdom by this unnatural Warre, and that it may open your ears and dispose your mindes to embrace those offers of Peace and Reconciliation which have been so often and so earnestly made unto you by Us, and from the constant and fervent endeavours of which We are resolved never to desist. In pursuance whereof We do, upon this occasion, conjure you to take into consideration Our (too-long-neglected) Message of the fourth of *July* from *Evesham*, which We again renew unto you; and that you will speedily send Us such an Answer thereunto, as may shew unto Our poor Subjects some light of a Deliverance from their present Calamities by a happy Accommodation; toward which We do here engage the Word of a King, to make good all those things which We have therein promised, and really to endeavour a happy conclusion of this Treaty. And so God direct you in the wayes of Peace.

Given at Our Court at *Tavestock* the 8. of *September*, 1644.

The Bill for Abolishing Episcopacy.

III. **W**Hereas the Government of the Church of *England* by Arch-bishops, Bishops, their Chancellours and Commissaries, Deans, Deans and Chapters, Arch-deacons, and other Ecclesiastical Officers depending upon the Hierarchy, hath by long experience been found to be a great impediment to the perfect Reformation and growth of Religion, and very prejudicial to the Civil State and Government of the Kingdom; Be it therefore Enacted by the King's most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, and by the Authority of the same, that from and after the fifth day of *November* in the year of our Lord one thousand six hundred fourty and three, there shall be no Arch-bishop, Bishop, Chancellour or Commissary of any Arch-bishop or Bishop, nor any Dean, Sub-dean, Dean and Chapter, or Arch-deacon, nor any Chancellour, Chaunter, Treasurer, Sub-treasurer, Succentor or Sacrist, of any Cathedral or Collegiate Church, nor any Prebendary, Canon, Canon-Residentiary, Petty-Canon, Vicar Choral, Choristers, old Vicars or new Vicars, of or within any Cathedral or Collegiate Church, or any other their Officers, within this Church of *England* or Dominion of *Wales*; and that from and after the said fifth day of *Novemb.* the Name, Title, Dignity, Jurisdiction, Office and Function of Arch-bishops, Bishops, their Chancellours and Commissaries, Deans, Sub-deans, Deans and Chapters, Arch-deacons, Canons and Prebendaries, and all Chaunters, Chancellours, Treasurers, Sub-treasurers, Succentors and Sacrists, and all Vicars Choral and Choristers, old Vicars and new Vicars, and every of them, and likewise the having, using or exercising of any Power, Jurisdiction, Office or Authority by reason or colour of any such Name, Title, Dignity, Office or Function, within this Realm of *England* or Dominion of *Wales*, shall thenceforth cease, determine, and become absolutely void, and shall be abolished out of this Realm and the Dominion of *Wales*, any Usage, Law or Statute to the contrary in any wise notwithstanding. And that from and after the said fifth day of *November*, no Person or Persons whatsoever, by virtue of any Letters Patents, Commission, or other Authority derived from the Kings Majesty, His Heirs or Successors, shall use or exercise any Jurisdiction Ecclesiastical within this Realm, or Dominion of *Wales*, but such and in such manner as shall be appointed and established by Act of Parliament. And that all Counties Palatine, Mannors, Lordships, Castles, Granges, Messuages, Mills, Lands, Tenements, Meadows, Leasues, Pastures, Woods, Rents, Reversions, Services, Parks, Annuities, Franchises, Liberties, Privileges, Immunities, Rights, Rights of Action and of Entrie, Interests, Titles of Entrie, Conditions, Commons, Courts-Leet and Courts-Baron, and all other Possessions and Hereditaments whatsoever, of what nature or quality soever they be, or wheresoever they lie or be, (other then Improvements, Parsonages appropriate, Tithes, Oblations, Obventions, Pensions, Portions of Tithes, Parsonages, Vicarages, Churches, Chappels, Advowsons, Nominations, Collations, Rights of Patronage and Presentation,) which now are, or lately were, of or belonging unto any Arch-bishop, Bishop, Arch-bishoprick or Bishoprick, or any of them, or which they or any of them held or enjoyed in right of their said Arch-bishoprick or Bishoprick respectively, shall by the Authority of Parliament be vested, adjudged and deemed to be, and shall be in the very real and actual possession and seisin of the Kings Majesty, His Heirs and Successors; and He shall have, hold, possess and enjoy the same, to Him, His Heirs and Successors, without any Entrie or other Act whatsoever: and that the Kings Majesty, His Heirs and Successors, His and their Lessees, Farmers and Tenants, shall hold and enjoy the same discharged and acquitted of payment of Tithes, as freely, and in as large, ample and beneficial * means to all intents and purposes, as any Arch-bishop or Bishop at any time or times within the space of two years last past held or enjoyed, or of right ought to have held or enjoyed the same. Provided nevertheless, and be it enacted by the Authority aforesaid, that all Leases, Grants, Gifts, Letters Patents, Conveyances, Assurances, or Estates whatsoever, hereafter to be made by the manner

the Kings Majesty, His Heirs or Successors, of any the Mannors, Lands, Tenements, Hereditaments, which in or by this Act shall come, or be limited, or disposed of unto His Majesty, His Heirs or Successors, (other then for the term of one and twenty years, or three Lives, or some other term of years determinable upon one, two or three Lives, and not above, from the time as any such Lease or Grant shall be made or granted, whereupon the accustomed yearly Rent or more shall be reserved and payable yearly during the said term) and whereof any former Lease is in being, not to be expired, surrendered or ended within three years after the making of any such new Lease, shall be utterly void and of none effect, to all intents, constructions and purposes, any clause or words of (*non obstante*) to be put in any such Patent, Grant, Conveyance or Assurance, and any Law, Usage, Custome, or any thing in this Act to the contrary in any wise notwithstanding. And be it further Enacted and Ordained, that all Improvements, Parsonages appropriate, Tithes, Oblations, Obventions, Portions of Tithes, Parsonages, Vicarages, Churches, Chappels, Advowsons, Nominations, Collations, Rights of Patronage and Presentation, which now are or lately were belonging unto any Arch-bishop or Bishop, Arch-bishoprick or Bishoprick, and all Mannors, Castles, Lordships, Granges, Messuages, Mills, Lands, Tenements, Meadows, Pastures, Woods, Rents, Reversions, Services, Parsonages appropriate, Tithes, Oblations, Obventions, Pensions, Portions of Tithes, Parsonages, Vicarages, Churches, Chappels, Advowsons, Nominations, Rights of Patronage and Presentation, Parks, Annuities, Franchises, Liberties, Privileges, Immunities, Rights, Rights of Action and of Entry, Interests, Titles of Entry, Conditions, Commons, Courts-Leet and Courts-Baron, and all other Possessions and Hereditaments whatsoever, of what nature or quality soever they be, or wheresoever they lie or be, which now are, or lately were, of or belonging to any Sub-dean, Dean, Dean and Chapter, Arch-deacon, Chaunter, Chancellor, Treasurer, Sub-treasurer, Succentor, Sacrist, Prebendary, Canon, Canon Residentiary, Petty-Canon, Vicars Choral, Choristers, old Vicars and new Vicars, or any of them, or any of the Officers of them, or any of them which they held or enjoyed in right of their said Dignities, Churches, Corporations, Offices or Places respectively, shall by Authority of this present Parliament be vested, adjudged and deemed to be, and shall be in the very real and actual possession and seisin of Sir *William Roberts* Knight, *Thomas Atkins*, Sir *John Wollaston*, *John Warner*, *John Toves*, Aldermen of the City of *London*, *John Packer* Esquire, *Peter Malbourne* Esquire; and they shall have, hold, possess and enjoy the same to them, their Heirs and Assignes, without any Entry or other Act whatsoever, and that for themselves, their Lessees, Farmers and Tenants, discharged and acquitted of Payment of Tithes, as freely, and in as large, ample and beneficial manner, to all intents and purposes, as any of the Persons or Corporations, whose Offices or Places are taken away by this Act, at any time or times within the space of two years now last past held or enjoyed, or of right ought to have held or enjoyed, the same. In trust and confidence nevertheless, and to the intent and purpose, that they, the said Sir *William Roberts* Knight, *Thomas Atkins*, Sir *John Wollaston*, *John Warner*, *John Toves*, Aldermen of the City of *London*, *John Packer* Esquire, *Peter Malbourne* Esquire, and the Survivors and Survivor of them, his and their Heirs and Assignes, shall satisfy and pay unto all and every Arch-bishop, Bishop, Dean, Sub-dean, Arch-deacon, Chaunter, Chancellor, Treasurer, Sub-treasurer, Succentor, Sacrist, Prebendary, Canon, Canon Residentiary, Petty-Canon, Vicars Choral, Choristers, old Vicars and new Vicars, and other Officers and persons belonging unto, or now employed in or about the said Cathedral or Collegiate Churches, such yearly Stipends and Pensions, for so long time and in such manner, as by the Lords and Commons in Parliament assembled shall be ordered, directed and appointed; and shall dispose of all and singular the aforesaid Mannors, Lands, Tithes, Appropriations, Advowsons, Tenements, Hereditaments, and other the Premises, and of every part and parcel thereof, and of the Revenues, Rents, Issues and Profits thereof, to the uses, intents and purposes above and hereafter expressed, (that is to say) for a competent maintenance for the support of such a number of Preaching Ministers for the service of every Cathedral and Collegiate Church,

Church, and His Majesties free Chappel of *Windsor*, as by the Lords and Commons shall be ordered and appointed, and likewise for the maintenance of Preaching Ministers throughout the Kingdom of *England*, Dominion of *Wales*, and Town of *Barwick*, in such places where such maintenance is wanting, and for a proportionable allowance for and towards the reparation of the said Cathedral and Collegiate Churches, in such manner and form, and to such persons, and for such other good uses, to the advancement of true Religion and the maintenance of Piety and Learning, as by this or any other Act or Acts of Parliament now or hereafter to be made shall be set down or declared. And be it further Enacted by the Authority aforesaid, that all Leases, Gifts, Grants, Conveyances, Assurances and Estates whatsoever hereafter to be made by the said Sir *William Roberts* Knight, *Thomas Atkins*, Sir *John Wollaston*, *John Warner*, *John Toves*, Aldermen of the City of *London*, *John Packer* Esquire, *Peter Malbourne* Esquire, the Survivors and Survivor of them or the greater part of them, his and their Heirs and Assigns, of any the Mannors, Lands, Tenements or Hereditaments which in or by this Act shall come, or be limited, or disposed of unto the said Sir *William Roberts* Knight, *Thomas Atkins*, Sir *John Wollaston*, *John Warner*, *John Toves*, Aldermen of the City of *London*, *John Packer* Esquire, *Peter Malbourne* Esquire, (other then for the term of one and twenty years, or three Lives, or some other term of years determinable upon one, two or three Lives, and not above, from the time as any such Lease or Grant shall be made or granted, whereupon the accustomed yearly Rent or more shall be reserved and payable yearly during the said term) whereof any former Lease is in being, and not to be expired, surrendered or ended within three years after the making of such Lease, shall be utterly void and of none effect, to all intents, constructions and purposes, any thing in this Act to the contrary in any wise notwithstanding. Provided nevertheless, where no Lease hath been heretofore made, nor any such Rent hath been reserved or payable of any the Lands, Tenements or Hereditaments, in this Act limited, or disposed of unto the said Sir *William Roberts* Knight, *Thomas Atkins*, Sir *John Wollaston*, *John Warner*, *John Toves*, Aldermen of the City of *London*, *John Packer* Esquire, *Peter Malbourne* Esquire, that in such case it shall be lawful for the said Sir *William Roberts* Knight, *Thomas Atkins*, Sir *John Wollaston*, *John Warner*, *John Toves*, Aldermen of the City of *London*, *John Packer* Esquire, *Peter Malbourne* Esquire, the Survivors and Survivor of them or the greater part of them, his and their Heirs, to make any Lease or Estate for the term of one and twenty years, or three Lives, or some other term of years determinable upon one, two or three Lives, and not above, taking such Fine as they in their Judgements shall conceive indifferent, and reserving a reasonable Rent, not being under the third part of the clear yearly value of the Lands, Tenements or Hereditaments contained in such Lease. And it is further Declared to be the true intent and meaning of this Act, That all and every the Lessees, Farmors and Tenants of all and every the said Persons and Corporations, whose Offices or Places are taken away by this Statute, now having, holding, or enjoying any Estate, Term or Interest, in possession by himself, his under-Tenants or Assignes, of or in any Mannors, Lands, Tenements, Appropriations or other Hereditaments whatsoever, shall and may be preferred in the taking and renewing of any Estates, Leases or Grants of any such Mannors, Lands, Tenements or Hereditaments, before any other Person, the said Lessees, Farmors or Tenants, or other Parties interessed as aforesaid, desiring the same, and giving such Fines, Rents and other considerations for the same as by the said Sir *William Roberts* Knight, *Thomas Atkins*, Sir *John Wollaston*, *John Warner*, *John Toves*, Aldermen of the City of *London*, *John Packer*, *Peter Malbourne*, Esquires, or the Survivors or Survivor of them or the major part of them, his or their Heirs or Assignes, shall be thought and held just and reasonable. Provided also, and be it enacted by the Authority aforesaid, that all and singular Revenues, Rents, Issues, Fees, Profits, Summes of Money, and Allowances whatsoever, as have heretofore been and now ought to be paid, disposed, or allowed unto, or for the maintenance of any Grammar-School or Scholars, or for or towards the Reparation of any Church, Chappel, High-way, Causey, Bridge, School-house, Alms-house, or other

charitable use, payable by any the Corporations or Persons whose Offices or Places are taken away by this Act, or which are chargeable upon, or ought to issue out of, or be paid for or in respect of the said Premises, or any of them, shall be and continue to be paid, disposed and allowed, as they were and have been heretofore, any thing in this present Act to the contrary thereof notwithstanding. And to the intent and purpose the Parliament may be certainly and clearly informed of the Premises, to the end the same may be distributed, applied and employed to and for such pious and godly uses and purposes as is intended and herein declared, Be it Ordained and Enacted, that the Lord Keeper of the Great Seal of *England* for the time being, shall, by virtue of this Act, have full Power and Authority, and is hereby required, to award and issue forth several Commissions under the Great Seal of *England* into all and every the Counties and Cities within the Kingdom of *England* and Dominion of *Wales*, to be directed unto such and so many Persons as by the Lords and Commons in this present Parliament assembled shall be nominated, assigned and appointed, thereby authorizing and requiring them, or any five or more of them, and giving them full Power and Authority by the Oaths of good and lawful men, as by all other good and lawful wayes and means, to inquire and find out what Mannors, Castles, Lordships, Granges, Messuages, Lands, Tenements, Meadows, Leasues, Pastures, Woods, Rents, Reversions, Services, Parsonages appropriate, Tithes, Oblations, Obventions, Pensions, Portions of Tithes, Vicarages, Churches, Chappels, Advowsons, Nominations, Presentations, Rights of Patronage, Parks, Annuities, and other Possessions and Hereditaments whatsoever, of what nature or quality soever they be, lying and being within every such County or City, not hereby limited, or disposed of unto His Majesty, do belong or appertain unto all, every, or any such Arch-bishop, Bishop, Dean, Sub-dean, Dean and Chapter, Arch-deacon, Chaunter, Chancellour, Treasurer, Sub-treasurer, Succentor, Sacrist, Prebendary, Canon, Canon Residentiary, Petty-Canon, Vicar Choral, Chorister, old Vicar or new Vicar, in right of their said Dignities, Churches, Corporations, Offices or Places respectively, and what and how much of the same is in possession, and the true yearly value thereof, and what and how much thereof is out in Lease, and for what Estate, and when and how determinable, and what Rents, Services and other Duties are reserved and payable during such Estate, and also the true yearly value of the same as they are now worth in Possession, as also what Rents, Pensions, or other Charges, or other summes of money are issuing, due or payable out of any the Mannors, Lands or Premises, and to make an exact and particular survey thereof, and to take and direct, and settle such course for the safe custody and keeping of all Charters, Evidences, Court-Rolls and Writings whatsoever belonging unto all or any the Persons, Dignities, Churches, Corporations, Offices and Places, or concerning any the Mannors, Lands, Tenements, Hereditaments, or other Premises before mentioned, as in their discretion shall be thought meet and convenient; and of all and singular their doings and proceedings herein, fairly written, and ingross'd in Parchment, to make Return and Certificate into the Court of Chancery. And to this further intent and purpose, that speedy care and course may be taken for providing of a competent maintenance for supply and encouragement of Preaching Ministers in the several Parishes within the Kingdom of *England* and Dominion of *Wales*, Be it likewise Ordained and Enacted, that the same Commissioners and Persons, authorized as above said, shall have full power and authority by the Oaths of good and lawful men, as by all other good ways and lawful means, to enquire and find out the true yearly value of all Parsonages and Vicarages Presentative, and all other Spiritual and Ecclesiastical Benefices and Livings unto which any Cure of Souls is annexed, lying and being within such Counties and Cities, and of all such particularly to enquire and certifie into the Court of Chancery what each of them are truly and really worth by the year, and who are the present Incumbents or Possessors of them, and what and how many Chappels belonging unto Parish-Churches are within the limits of such Counties and Cities within which they are directed and authorized to enquire, and how the several Churches and Chappels are supplied by Preaching Ministers, that so course
may

may be taken for providing both for Preaching and of maintenance, where the same shall be found to be needful and necessary. Provided alwayes that this Act, or any thing therein contained, shall not extend to any College, Church, Corporation, Foundation, or House of Learning in either of the *Universities* within this Kingdom. And the said Sir *William Roberts*, *Thomas Atkins*, Sir *John Wollaston*, *John Warner*, *John Towes*, Aldermen of the City of *London*, *John Packer* and *Peter Malbourne*, Esquires, and the Survivors and Survivor of them, or the greater part of them, his and their Heirs and Assigns, are hereby directed and authorized to give and allow unto such Officers as by them shall be thought fitting and necessary for keeping of Courts, collecting of Rents, Surveying of Lands, and all other necessary employments in and about the Premises, and unto the Commissioners authorized by this Act, and such others as shall be necessarily employed by them, all such reasonable Fees, Stipends, Salaries and Summes of Money as in their discretion shall be thought just and convenient. And the said Sir *William Roberts* Knight, *Thomas Atkins*, Sir *John Wollaston*, *John Warner*, *John Towes*, Aldermen of the City of *London*, *John Packer* and *Peter Malbourne*, Esquires, the Survivors and Survivor of them, his and their Heirs and Assigns, of their several Receipts, Employments, Actions and Proceedings shall give an accompt, and be accomptable unto the Lords and Commons in Parliament, or such Person or Persons as from time to time by both Houses of Parliament shall be nominated and appointed in such manner, and with such Power, Privilege and Jurisdiction, to hear and determine all matters concerning such Accompts, as by both Houses of Parliament shall from time to time be thought necessary to be given them, and not elsewhere, nor otherwise. Saving to all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, and the Heirs and Successors of them and every of them, (other then such Person or Persons, Bodies Politick and Corporate, whose Offices, Functions and Authorities are taken away and abolished by this Act, as to any Estate, Right, Title or Interest which they or any of them claim to have or hold in right of their said Churches, Dignities, Functions, Offices or Places, and other then the Kings Majesty, His Heirs and Successors, as Patrons, Founders or Donors; and all and every other Person and Persons, Bodies Politick and Corporate, as may claim any thing as Patrons, Founders or Donors) all such Right, Title, Interest, Possession, Rents, charge-Rent, Service, Annuities, Offices, Pensions, Portions, Commons, Fees, Profits, Claims and Demands, either in Law or Equity, whatsoever; and all and singular such Leases for Years, Life or Lives, as were before the twentieth day of *January*, in the year of our Lord one thousand six hundred fourty two, made unto them or any of them by any the Persons or Corporations above named, according to the Laws and Statutes of this Realm, and warranted by the same, and all such Leases and Estates as having been heretofore made, have been established or settled by any Judgement or Decree in any of the Courts at *Westminster*, and have been accordingly enjoyed, and all duties and profits whatsoever which they or any of them have or may claim, or of right ought to have of, in, to, or out of any the said Mannors, Lands or Premises whatsoever, or any part or parcel thereof, in such sort, manner, form and condition, to all intents, constructions and purposes, as if this Act had never been made.

*The Articles of the late Treaty, of the Date Edinburgh,
the 29. of Novemb. 1643.*

Die Mercurii, 3. Januarii, 1643.

MDCXLIII.

IV. *Articles of the Treaty agreed upon betwixt the Commissioners of both Houses of the Parliament of England, having Power and Commission from the said Honourable Houses, and the Commissioners of the Convention of the Estates of the Kingdom of Scotland, authorized by the Committee of the said Estates, concerning the solemn League and Covenant, and the Assistance demanded in pursuance of the Ends expressed in the same.*

IV. **W**Hereas the two Houses of the Parliament of *England*, out of a just and deep sense of the great and imminent Danger of the true Protestant Religion, in regard of the great Forces of Papists, Prelates, Malignants and their Adherents, raised and imployed against the constant Professors thereof in *England* and *Ireland*, thought fit to send their Commissioners unto the Kingdom of *Scotland*, to Treat with the Convention of Estates and generall Assembly there concerning such things as might tend to the preservation of Religion, and the mutuall good of both Nations, and to that end, to desire a more near and strict Union betwixt the Kingdoms, and the Assistance of the Kingdom of *Scotland*, by a considerable Strength to be raised and sent by them into the Kingdom of *England*; and whereas upon a Consultation held betwixt the Commissioners of the Parliament of *England*, the Committees of the Convention of Estates, and General Assembly, no means was thought so expedient to accomplish and strengthen the Union, as for both Nations to enter into a solemn League and Covenant, and a form thereof drawn and presented to the two Houses of Parliament of *England*, the Convention of Estates, and General Assembly of *Scotland*, which hath accordingly been done, and received their respective Approbation; and whereas the particulars concerning the Assistance desired by the two Houses of the Parliament of *England* from their Brethren of *Scotland* were delivered in by the *English* Commissioners, August the 19. to the Convention of Estates, who did thereupon give power to their Committee to consider and debate further with the *English* Commissioners of what other Propositions might be added or concluded, whereby the Assistance desired might be made more effectual and beneficial, and in pursuance thereof these Propositions following were considered of and debated by the Committee and Commissioners aforesaid, to be certified with all convenient speed to the two Houses of the Parliament of *England* and the Convention of Estates of *Scotland*, by their respective Committees and Commissioners, to be respectively taken into their consideration, and proceeded with as they should finde cause; which being accordingly done, and these ensuing Propositions approved, agreed and concluded of by the Houses of the Parliament of *England* and the Committee of the Estates of *Scotland* respectively, and power by them given to their respective Committees and Commissioners formally to agree and conclude the same, as may appear by the Votes of both Houses dated the first of *November*, and the Order of the Committee bearing date the seventeenth of *November*: We the said Commissioners and Committees, according to their Votes and Orders, do formally conclude and agree upon these Articles following, and in confirmation thereof do mutually subscribe the same.

1. It is agreed and concluded, that the Covenant represented to the Convention of Estates and General Assembly of *Scotland*, and sent to both Houses of the Parliament of *England*, in the same form as it is now returned from the two Houses of the Parliament of *England* to their Brethren of *Scotland*, and allowed by the Committee of Estates and Commissioners of the General Assembly, be sworn and subscribed by both Kingdoms, as a most near Tye and Conjunction between them,
for

for their mutual defence against the Papists and Prelatical Faction and their Adherents in both Kingdoms, and for pursuance of the Ends expressed in the said Covenant.

2. That an Army to this purpose shall be levied forthwith, consisting of eighteen thousand Foot *effective*, and two thousand Horse and one thousand Dragoons *effective*, with a futeable Train of Artillery, to be ready at some general Rendezvous near the Borders of *England*, to march into *England* for the purposes aforesaid with all convenient speed: the said Foot and Horse to be well and compleatly Armed, and provided with Victuals and Pay for forty dayes; and the said Train of Artillery to be fitted in all points ready to march.

3. That the Army be commanded by a General appointed by the Estates of *Scotland*, and subject to such Resolutions and Directions as are and shall be agreed and concluded on mutually between the two Kingdoms, or by Committees appointed by them in that behalf, for pursuance of the Ends above mentioned.

4. That the Charge of levying, arming, and bringing the said Forces together furnished, as also the fitting the Train of Artillery in readiness to march, be computed and set down according to the same Rates as if the Kingdom of *Scotland* were to raise the said Army for themselves and their own Affairs: All which for the present is to be done by the Kingdom of *Scotland* upon Accompt, and the Accompt to be delivered to the Commissioners of the Kingdom of *England*; and when the Peace of the two Kingdoms is settled, the same to be repay'd or satisfied to the Kingdom of *Scotland*.

5. That this Army be likewise pay'd as if the Kingdom of *Scotland* were to imploy the same for their own occasions, and toward the defraying thereof (it not amounting to the full moneths pay) shall be Monethly allowed and pay'd the summe of thirty thousand pounds *sterling* by the Parliament of *England*, out of the Estates and Revenues of the Papists, Prelates, Malignants and their Adherents, or otherwise; and in case the said thirty thousand pounds Monethly, or any part thereof, be not pay'd at the time when it shall become due and payable, the Kingdom of *England* shall give the Publick Faith for the paying of the remainder unpaid, with all possible speed, allowing the rate of eight pounds *per centum* for the time of the performance thereof. And in case that notwithstanding the said Monethly summe of thirty thousand pounds pay'd as aforesaid, the States and Kingdom of *Scotland* shall have just cause to demand further satisfaction of their Brethren of *England* when the Peace of both Kingdoms is settled, for the pains, hazard, and charges they have undergone in the same, they shall by way of Brotherly assistance have due recompence made unto them by the Kingdom of *England*; and that out of such Lands and Estates of the Papists, Prelates, Malignants and their Adherents, as the two Houses of the Parliament of *England* shall think fit; and for the assurance thereof, the Publick Faith of the Kingdom of *England* shall be given them.

6. And to the end the said Army in manner aforesaid may be enabled and prepared to march, the Kingdom of *England* is to pay in ready money to their Brethren of *Scotland*, or such as shall have power from the Estates of that Kingdom, the summe of one hundred thousand pounds *sterling*, at *Leith* or *Edenburgh*, with all convenient speed, by way of advance, before-hand; which is to be discounted back again unto the Kingdom of *England* by the Kingdom of *Scotland*, upon the first Monethly allowance which shall grow due to the *Scotish* Army, from the time they shall make their first entrance into the Kingdom of *England*.

7. That the Kingdom of *Scotland*, to manifest their willingness to their utmost ability to be helpful to their Brethren of *England* in this common Cause, will give the Publick Faith of the Kingdom of *Scotland*, to be joyntly made use of with the Publick Faith of the Kingdom of *England*, for the present taking up of two hundred thousand pounds *sterling*, in the Kingdom of *England* or elsewhere, for the speedy procuring of the said hundred thousand pounds *sterling* as aforesaid, as also a considerable summe, for the satisfying in good proportion the Arrears of the *Scotish* Army in *Ireland*.

8. That no Cessation, nor any Pacification or Agreement for Peace whatsoever, shall

shall be made by either Kingdom, or the Armies of either Kingdom, without the mutual Advice and Consent of both Kingdoms, or their Committees in that behalf appointed, who are to have full Power for the same, in case the Houses of the Parliament of *England* or the Parliament or Convention of Estates of *Scotland* shall not sit.

9. That the Publick Faith of the Kingdom of *Scotland* shall be given to their Brethren of *England*, that neither their entrance into nor their continuance in the Kingdom of *England* shall be made use of to any other ends then are expressed in the Covenant, and in the Articles of this Treaty; and that all matters of difference that shall happen to arise between the Subjects of the two Nations shall be resolved and determined by the mutual Advice and Consent of both Kingdoms, or by such Committees as for this purpose shall be by them appointed, with the same Power as in the precedent Article.

10. That in the same manner and upon the same conditions as the Kingdom of *Scotland* is now willing to aide and assist their Brethren of *England*, the Kingdom of *England* doth oblige themselves to aide and assist the Kingdom of *Scotland*, in the same or like cases of streights and extremities.

11. Lastly, it is agreed and concluded, that during the time that the *Scottish* Army shall be employed, as aforesaid, for the defence of the Kingdom of *England*, there shall be fitted out as men of Warre eight Ships, whereof six shall be of Burthen betwixt one hundred and twenty and two hundred Tunne, the other between three and four hundred Tunne, whereof two shall be in lieu of the two Ships appointed by the *Irish* Treaty: all which shall be maintained at the charge of the Kingdom of *England*, to be employed for the defence of the Coast of *Scotland*, under such Commanders as the Earl of *Warwick* for the time of his being Admiral shall nominate, with the approbation of the Committees of both Kingdoms; which Commanders shall receive from the said Earl general Instructions, that they do from time to time observe the Directions of the Committees of both Kingdoms.

The Ordinance for calling the Assembly of Divines.

An Ordinance of the Lords and Commons in Parliament, for the calling of an Assembly of Learned and Godly Divines and others, to be consulted with by the Parliament, for the settling of the Government and Liturgy of the Church of England, and for vindicating and clearing of the Doctrine of the said Church from false Aspersions and Interpretations.

- v. **W**Hereas amongst the infinite Blessings of Almighty God upon this Nation, none is or can be more dear unto us then the purity of our Religion, and for that as yet many things remain in the Liturgy, Discipline and Government of the Church, which do necessarily require a further and more perfect Reformation then as yet hath been attained; and whereas it hath been declared and resolved by the Lords & Commons assembled in Parliament, that the present Church-government by *Arch-bishops*, *Bishops*, their *Chancellours*, *Commissaries*, *Deans*, *Deans and Chapters*, *Arch-deacons*, and other Ecclesiastical Officers depending upon the *Hierarchy*, is evil and justly offensive and burthensome to the Kingdom, a great impediment to Reformation and growth of Religion, and very prejudicial to the State and Government of this Kingdom, and that therefore they are resolved that the same shall be taken away, and that such a Government shall be settled in the Church as may be most agreeable to God's Holy Word, and most apt to procure & preserve the Peace of the Church at home, and nearer agreement with the Church of *Scotland* and other reformed Churches abroad, and for the better effecting hereof, and for the vindicating and clearing of the Doctrine of the Church of *England* from all false Calumnies and Aspersions, it is thought fit and necessary

to call an Assembly of Learned, Godly and Judicious Divines, who, together with some Members of both the Houses of Parliament, are to consult and advise of such matters and things touching the premisses as shall be proposed unto them by both or either of the Houses of Parliament, and to give their Advice and counsel therein to both or either of the said Houses, when and as often as they shall be thereunto required: Be it therefore ordained by the Lords and Commons in this present Parliament assembled, That all and every the persons hereafter in this present Ordinance named, that is to say, *Algernon Earl of Northumberland, William Earl of Bedford, Philip Earl of Pembroke and Montgomery, William Earl of Salisbury, Henry Earl of Holland, Edward Earl of Manchester, William Lord Viscount Say and Seal, Edward Lord Viscount Conway, Philip Lord Wharton, Edward Lord Howard of Escr. John Selden Esquire, Francis Rous Esquire, Edmund Prideaux Esquire, Sir Henry Vane Knight senior, John Glyn Esquire Recorder of London, John White Esq. Bulstrode Whitelock Esquire, Humphry Salway Esquire, M. Serjeant Wild, Oliver Saint-John Esquire His Majesties Sollicitor, Sir Benjamin Rudyard Knight, John Pym Esquire, Sir John Clotworthy Knight, John Maynard Esquire, Sir Henry Vane Knight junior, William Pierrepont Esquire, William Wheeler Esquire, Sir Thomas Barrington Knight, Walter Young Esquire, Sir John Evelin Knight, Herbert Palmer of Ashwel Bachelor in Divinity, Oliver Bowles of Sutton Bachelor in Divinity, Henry Wilkinson of Waddesdon Bachelor in Divinity, Thomas Valentine of Chalfont-Giles Bachelor in Divinity, Doctor William Twisse of Newbury, William Raynor of Egham, Master Hannibal Gammon of Maugan, M. Jasper Hicks of Lawrick, D. Joshua Hoyle late of Dublin in Ireland, William Bridges of Yarmouth, Thomas Wincop of Ellesworth Doctor in Divinity, Thomas Goodwin of London Bachelor in Divinity, John Ley of Budworth in Cheshire, Thomas Case of London, John Pyne of Bereferrers, Master Whidden of Mooreton, D. Richard Love of Ekington, D. William Gouge of Blackfriars London, D. Ralph Brownrigge Bishop of Exeter, D. Samuel Ward Master of Sidney College, John White of Dorchester, Edward Peal of Compton, Stephen Marshall of Finchingsfield Bachelor in Divinity, Obadiah Sedgewick of Cogshall Bachelor in Divinity, M. Carter, Peter Clark of Carnaby, William Mew of Estington Bachelor in Divinity, Richard Capel of Pitchcomb, Theophilus Bathurst of Overton Waterville, Phil. Nye of Kimbolton, D. Bocket Smith of Barkway, D. Cornelius Burges of Watford, John Green of Pencomb, Stanley Gower of Brampton-Bryan, Francis Taylor of Yalding, Tho. Wilson of Otham, Antho. Tuckney of Boston Bachelor in Divinity, Thomas Coleman of Bliton, Charles Herle of Winwick, Richard Herrick of Manchester, Richard Cleyton of Showel, George Gibbs of Ayleston, D. Calibut Downing of Hackney, Jeremy Boroughs of Stepney, Edmund Calamy Bachelor in Divinity, George Walker Bachelor in Divinity, Joseph Caryl of Lincolns-Inne, Lazarus Seaman of London, D. John Harris Warden of Winchester-College, George Morley of Mildenhall, Edward Reynolds of Branstons, Thomas Hill of Tichmarsh Bachelor in Divinity, D. Robert Saunderson of Boothby-Pannell, John Foxcroft of Gotham, John Jackson of Marsk, William Carter of London, Thomas Thoroughgood of Maffingham, John Arrowsmith of Lynne, Robert Harris of Hanwel Bachelor in Divinity, Robert Cross of Lincoln-College Bachelor in Divinity, James Archbishop of Armagh, D. Matthias Styles of Saint George Eastcheap London, Samuel Gibson of Burley, Jeremiah Whitaker of Stretton, D. Edmund Stanton of Kingston, D. Daniel Featly of Lambeth, Francis Coke of Yoxhal, John Lightfoot of Asbley, Edward Corbet of Merton College Oxon, Samuel Hildersham of Felton, John Langley of Westuderley, Christopher Tisdale of Uphusborn, Thomas Young of Stow-market, John Phillips of Wrentham, Humphrey Chambers of Claverton Bachelor in Divinity, John Conant of Lymington Bachelor in Divinity, Henry Hall of Norwich Bachelor in Divinity, Henry Hutton, Henry Scudder of Colingborne, Thomas Baylie of Manningsford Bruce, Benjamin Pickering of East-Hoateley, Henry Nye of Clapham, Arthur Sallaway of Seaverne-stoake, Sydrach Simpson of London, Anthony Burges of Sutton-Coldfield, Richard Vines of Calcot, William Greenhill of Stepney, William Moreton of Newcastle, Richard Buckley, D. Thomas Temple of Battersey, Simeon Ashe of Saint Brides, M. Nicholson, Thomas Gataker of Rotherhithe Bachelor in Divinity, James Weldy of Sylatten, D. Christopher*

*stopher Pasfley of Hawarden, Henry Tozer Bachelor in Divinity, William Spurston of Hampden in Com. Bucks, Francis Cheynel of Oxon, Edward Ellis of Gilsfield Bachelor in Divinity, D. John Hacket of Saint Andrews Holborne, Samuel de la Place, John de la March, Matthew Newcomen of Dedham, William Lyford of Sherborn in Com. Dorset, M. Carter of Dynton in Com. Bucks, William Lance of Harrow in Middlesex, Thomas Hodges of Kensington in Com. Middlesex, Andreas Perne of Wilby in Com. Northampton, D. Thomas Westfield of S. Bartholomew le great London Bishop of Bristol, D. Henry Hammond of Penshurst in Kent, Nicholas Prophet of Marlborough in Com. Wilts, Peter Sterry of London, John Erle of Bishopston in Com. Wilts, M. Gibbon of Waltham, Henry Painter of Excceter Bachelor in Divinity, M. Michelthwaite of Cherry-burton, D. John Wincop of S. Martins in the Fields, M. Price of Paul's Church in Convent-Garden, Henry Wilkinson junior Bachelor in Divinity, D. Richard Holdsworth Master of Emanuel College in Cambridge, M. William Duning of Coldaston, and such other person and persons as shall be nominated and appointed by both Houses of Parliament, or so many of them as shall not be letted by sickness or other necessary impediment, shall meet and assemble, and are hereby required and enjoined upon summons signed by the Clerks of both Houses of Parliament, left at their severall respective dwellings, to meet and assemble themselves at *Westminster*, in the Chappel called King *Henry* the Seventh's Chappel, on the first day of *July* in the year of our Lord one thousand six hundred fourty three; and after the first meeting, being at least of the number of fourty, shall from time to time sit and be removed from place to place, and also that the said Assembly shall be dissolved in such manner, as by both Houses of Parliament shall be directed: and the said persons, or so many of them as shall be so assembled or sit, shall have Power and Authority, and are hereby likewise enjoined, from time to time during this present Parliament, or untill further order be taken by both the said Houses, to conferre and treat amongst themselves of such matters and things touching and concerning the Liturgy, Discipline and Government of the Church of *England*, or the vindicating and clearing of the Doctrine of the same from all false Aspersions and Misconstructions, as shall be proposed unto them by both or either of the said Houses of Parliament, and no other, and to deliver their Opinions and Advices of or touching the matters aforesaid, as shall be most agreeable to the Word of God, to both or either of the said Houses, from time to time, in such manner and sort as by both or either of the said Houses of Parliament shall be required, and the same not to divulge by Printing, writing or otherwise, without the consent of both or either House of Parliament. And be it further Ordained by the Authority aforesaid, that *William Twisse* Doctor in Divinity shall sit in the Chair as Prolocutor of the said Assembly: and if he happen to die, or be letted by sickness or other necessary impediment, then such other person to be appointed in his place as shall be agreed on by both the said Houses of Parliament. And in case any difference of Opinion shall happen among the said persons so assembled, touching any the matters that shall be proposed to them as aforesaid, that then they shall represent the same, together with the Reasons thereof, to both or either of the said Houses respectively, to the end such further direction may be given therein as shall be requisite in that behalf. And be it further Ordained by the Authority aforesaid, that for the charges and expences of the said Divines and every of them in attending the said service, there shall be allowed unto every of them that shall so attend, during the time of their said attendance, and for ten dayes before and ten dayes after, the summe of four shillings for every day, at the charges of the Commonwealth, at such time and in such manner as by both Houses of Parliament shall be appointed. And be it further Ordained, that all and every the said Divines, so as aforesaid required and enjoined to meet and assemble, shall be freed and acquitted of and from every offence, forfeiture, penalty, loss or damage, which shall or may arise or grow by reason of any non-residence, or absence of them or any of them from his or their, or any of their Church, Churches or Cures, for or in respect of their said attendance upon the said Service, any Law or Statute of Non-residence, or other Law or Statute enjoying their attendance upon their respective Ministeries or Charges, to the contrary thereof*

thereof notwithstanding. And if any of the persons before named shall happen to dye before the said Assembly shall be dissolved by Order of both Houses of Parliament, then such other person or persons shall be nominated and placed in the room and stead of such person and persons so dying, as by both the said Houses shall be thought fit and agreed upon: and every such person or persons so to be named shall have the like Power and Authority, Freedom and acquital to all intents and purposes, and also all such Wages and allowances for the said service, during the time of his or their attendance, as to any other of the said persons in this Ordinance is by this Ordinance limited and appointed. Provided alwaies that this Ordinance, or any thing therein contained, shall not give unto the persons aforesaid or any of them, nor shall they in this Assembly assume to exercise any Jurisdiction, Power or Authority Ecclesiastical whatsoever, or any other Power then is herein particularly expressed.

The Votes or Orders delivered with it.

Die Mercurii, 5. Julii, 1643.

O Rdered by the Lords and Commons in Parliament assembled, That it shall be propounded to the Assembly to morrow at their meeting, to take into their Consideration the Ten first Articles of the 39. Articles of the Church of England, to free and vindicate the Doctrine of them from all Aspersions and false Interpretations. VI.

Jovis, 6. Julii, 1643.

Some general Rules for the Assembly, directed by the Lords and Commons in Parliament assembled.

1. **T**Hat two Assessors be joyned to the Prolocutor, to supply his place in case of Absence or Infirmary.
2. Two Scribes to be appointed to set down all proceedings, and these to be Divines, who are not Members of the Assembly, viz. Mr Henry Robrough, and Mr Adoniram Byfield.
3. Every Member at his first entrance into the Assembly shall make a serious and solemn Protestation, not to maintain any thing but what he believes to be Truth, and to embrace Truth in sincerity when discovered to him.
4. No Resolution to be given upon any Question on the same day wherein it is first Propounded.
5. What any man undertakes to prove as necessary, he shall make good out of the Scriptures.
6. No man to proceed in any dispute after the Prolocutor hath enjoined him silence, unless the Assembly desire he may goe on.
7. No man to be denied to enter his Dissent from the Assembly, and his Reasons for it, in any point, after it hath first been debated in the Assembly; and thence (if the dissenting party desire it) to be sent to the Houses of Parliament by the Assembly, (not by any particular Man or Men in a private way) when either House shall require it.
8. All things agreed on and prepared for the Parliament to be openly read and allowed in the Assembly, and then offered as the Judgement of the Assembly, if the major part assent: Provided that the Opinion of any Persons dissenting and the Reasons urged for it be annexed thereunto (if the Dissenters require it) together with the Solutions (if any were) given in the Assembly to those Reasons.

Jovis, 6. Julii, 1643.

I A.B. do seriously and solemnly * in the presence of Almighty God, that (in * protest this Assembly whereof I am a Member) I will not maintain any thing in matters of Doctrine, but what I think in my Conscience to be Truth, or in point of Discipline, but

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but what I shall conceive to conduce most to the Glory of God, and the good and Peace of his Church.

Veneris, 15. Sept. 1643.

Ordered by the Lords and Commons in Parliament assembled, That it be referred to the Assembly of Divines, to set forth a Declaration of the Reasons and Grounds that have induced the Assembly to give their Opinions, that this Covenant may be taken in point of Conscience.

Eodem Die.

Ordered by the Lords and Commons in Parliament assembled, That it be referred to the Committee formerly appointed to Treat with the *Scotch Commissioners*, to Treat with them about the manner of taking the Covenant in both Kingdoms.

Mercurii, 22. August. 1643.

Ordered by the Lords and Commons in Parliament assembled, That it be propounded to the Assembly of Divines, to consider of the Doctrine of the Nine next Articles of the 39 Articles of the Church of *England*, to clear and vindicate the same from all Aspersions and false Interpretations.

The Articles of the sixth of August, 1642.

Articles of the Treaty, concerning the Reducing of the Kingdom of Ireland to the Obedience of the Kings Majesty and Crown of England, agreed upon between the Commissioners for Scotland, authorized by His Majesty and the Parliament of that Kingdom, and the Commissioners for England, authorized by His Majesty and the Parliament of that Kingdom, at Westminster, the sixth day of August, 1642.

VII. **F**irst, The *Scotish Commissioners*, out of the sense of that Duty which the Kingdom of *Scotland* owes to His Majesty, and the true Affection they bear towards the Kingdom of *England*, being willing to contribute their best assistance for the speedy relief of those distressed parts in *Ireland* which lye nearest the Kingdom of *Scotland*, have in the name of that Kingdom made offer of ten thousand men to be imployed in that Service; and for a further Testimony of their Zeal to His Majesties Service, and Brotherly respect to the Kingdom of *England*, have declared, that the Kingdom of *Scotland* will upon their own Charge levy and transport these men.

Secondly, Because the Kingdom of *Scotland* are to send over with their Army the number of six thousand Muskets and four thousand Pikes, with such Cannon and Ammunition as shall be fitting for the service, it is agreed, that four thousand Muskets and two thousand Pikes shall be presently sent by the Kingdom of *England* into the Kingdom of *Scotland*, and delivered at *Leith*; as also that the residue of the said ten thousand Arms and ten thousand Swords and Belts shall be delivered there at the first of *August* next; and that as many Cannon and Field-Pieces of the same bore, weight and metal, shall be carried into *Scotland* upon their demand, as they shall transport into *Ireland* for the service of that Kingdom: and that the said whole Arms and Ammunition shall remain in *Scotland* until the return of the *Scotish Army* from *Ireland*; at which time the same shall be restored to the Kingdom of *England*, the Kingdom of *Scotland* receiving satisfaction for such of their Arms and Ammunition as shall be spent or lost in the service of *Ireland*. As also that there shall be presently sent over from *England*, and delivered to the *Scotish Army* in *Ireland*, for the defence of the Province of *Ulster*, six pieces of Demy-Cannon of the Ball of four and twenty pound weight, with their Equipage.

Thirdly, it is agreed, That there shall be two Ships of Warre presently sent by the Kingdom of *England* to *Lochryan*, *Lamalach*, *Port-Patrick*, or *Air*, to guard and waite over

over the *Scotish* Souldiers; and that the said Ships shall attend at the Ports in *Ireland*, for serving the *Scotish* Army in going and returning betwixt the Coasts, and keeping the Passages clear, as they shall receive Orders from the chief Commanders of the *Scotish* Army for the time being, according to Instructions received or to be received by the Master of these Ships from the Lord Admiral, or Commissioners of the Admiralty for the time being, to that purpose.

Fourthly, it is agreed, That there shall be levied and furnished by the Kingdom of *England* ten Troops of sufficient and well-armed Horsemen, consisting of sixty in a Troop besides the Officers; and that there shall be a Commissary General, a Sergeant-Major, and a Quarter-master appointed over them, which shall joyn and remain with the Body of the *Scotish* Foot, and shall receive and obey the Orders and Instructions of the Commanders of the *Scotish* Army; and that there shall be presently advanced the summe of twelve hundred pounds sterling, for the levying of a Troop of one hundred Horsemen in *Scotland*, besides the Officers, to be a Guard to the General of the *Scotish* Army.

Fifthly, it is agreed, That the Commanders and Souldiers of the *Scotish* Army shall have such Pay respectively as the Commanders and Souldiers of the *English* Army have, according to a List presently agreed upon by the Commissioners of both Kingdoms; as also that the Officers of that Army shall have such allowance for their Wagons as is contained in the said List.

Sixthly, it is agreed, That the Towns and Castle of *Carickfergus* and *Colrane* shall be put into the hands of the *Scotish* Army, to be places for their Magazines and Garrisons, and to serve them for Retreat upon occasion; and that the Magistrates and Inhabitants thereof shall be ordained to carry themselves to the Commanders of the said Army as is fitting and ordinary in such Cases; and that the said Towns and Castle shall remain in the *Scots* hands until the Warre shall end, or that they shall be discharged of that service: Like as the Commissioners for the Kingdom of *Scotland* do promise in the Publick Faith of that Kingdom, to re-deliver the said Towns and Castle to any having Commission from the King and Parliament of *England*; as also the Commissioners for the Kingdom of *England* do promise in the name and on the Publick Faith of that Kingdom, that Payment shall be made to the Kingdom of *Scotland* and their Army of all dues that shall arise upon this present Treaty, and that when the *Scotish* Army employed in the service of *Ireland* shall be discharged, they shall be disbanded by Regiments, and no lesser proportions, and so many of them payed off as shall be disbanded, and the residue kept in pay till they be disbanded.

Seventhly, it is agreed, That the Towns of *Carickfergus* and *Colrane* shall by the Kingdom of *England* be with all expedition provided with Victuals necessary for Souldiers either in Garrisons or Expeditions, according to a List to be agreed on and subscribed by the Commissioners of both Kingdoms; and that such quantities thereof as the *Scotish* Army shall have occasion to use, shall be sold unto them and bought by them at the several Prices contained in the aforesaid List: and also that the said Towns of *Carickfergus* and *Colrane* shall be provided by the Kingdom of *England* with Powder, Ball, Match, and other Ammunition for the service of the said Army, conform to the particular List to be condescended unto by both Commissioners; and that Carts and Wagons shall be provided by the Kingdom of *England*, for carrying of Ammunition for the use of the said Army in Marches; as also that there shall be Gun-Smiths, Carpenters, and one or two Enginiers appointed to attend the Army, and that hand-Mills shall be provided to serve the Companies in Marches.

Eighthly, it is agreed, That the Kingdom of *England* shall depofite two thousand pounds *English* money in the hands of any to be appointed by the *Scotish* Commissioners, to be disbursed upon accompt, by warrant of the General of their Army, upon Fortifications, Intelligences and other Incidents, so that there be not above the summe of two thousand pounds in a year imprested upon these occasions, without particular and special Warrant from the Parliament of *England*; as also that there shall be depofited two thousand and five hundred pounds *English*, to

be disbursed upon Accompt, for the providing of a thousand Horses for the Carriage of the Artillery, the Baggage and Victuall of their Army, and for Dragoons upon occasion: and likewise that the *Scotish* Army, during the time of the Warre, shall have power to take up such Horses in the Countrey as be necessary for the uses aforesaid.

Ninthly, it is agreed, That the Inhabitants of the Towns and Villages in the Province of *Ulster*, and in any other Province of *Ireland* where the *Scotish* Army shall be by it self, for the time shall receive Orders from the *Scotish* Commanders, and shall bring in Victuals for Money in an orderly way, as shall be directed by them, with Provision of Oates, Hay and Straw, and such other Necessaries; and that the Countrey-People shall rise and concurre with the *Scotish* Troops when the Commanders thereof shall finde it for the good of the Service, and shall receive Orders and Directions from the said Commanders of the *Scotish* Army.

Tenthly, it is agreed, That the said ten thousand men to be sent out of the Kingdom of *Scotland*, shall goe in the way and order of an Army under their own General and subaltern Officers; and the Province of *Ulster* is appointed unto them, wherein they shall first prosecute the Warre as in their Judgement they shall think most expedient for the Honour of the King and Crown of *England*; and that the Commanders of the said Army shall have power to give Conditions to Towns, Castles and Persons which shall render and submit themselves, as shall be most expedient for the Service according to the course of Warre. Provided no Toleration of the *Popish* Religion be granted, nor any condition made touching or concerning any of the Rebels Lands, and that the Commanders of the *Scotish* Army shall be answerable for their whole deportment and proceedings to His Majesty and the two Houses of the Parliament of *England* onely, but shall from time to time give an accompt thereof to His Majesty, the two Houses of the Parliament of *England*, and to the chief Governour or Governours of *Ireland* for the time being. That such Towns and Places as shall be recovered from the Rebels by the *Scotish* Army, shall be at the disposing of the Commanders thereof, during their abode for that Service in those parts where such Towns and Places are. And if it shall be found for the good of the Service that the *Scotish* Army shall joyn with the Kings Lieutenant of *Ireland* and his Army, in that case the General of the *Scotish* Army shall onely cede to the Kings Lieutenant of *Ireland*, and receive in a free and honourable way Instructions from him, or in his absence from the Lord Deputy or any other who shall have the chief Government of that Kingdom for the time by authority derived from the Crown of *England*, and shall precede all others, and that he onely shall give Orders to the Officers of his own Army; and that the Armies shall have the right and left hand, Van and Reare, Charge and Retreat, successively, and shall not mixe in Quarterings nor Marchings; and when it shall be found fit to send Troops out of either Army, that the Persons to be sent out of the *Scotish* Army shall be commanded out by their own General, the Lieutenant of *Ireland* prescribing the number, which shall not exceed the fourth part of the whole Foot of the *Scotish* Army, nor of the Horse appointed to joyn therewith, whereunto they shall return when the Service is done. And that no Officer of the *Scotish* Army shall be commanded by one of his own Quality; and if the Commanders of the Troops so sent out of either Army be of one Quality, that they command the Party by turns. And it is nevertheless provided, that the whole *Scotish* Army may be called out of the Province of *Ulster*, and the Horses appointed to joyn with them, by His Majesties Lieutenant of *Ireland*, or other chief Governour or Governours of that Kingdom for the time being, if he or they shall think fit, before the Rebellion be totally suppressed therein.

Eleventhly, it is agreed, That the *Scotish* Army shall be entertained by the *English* for three moneths, from the twentieth of *June* last, and so along after, untill they be discharged; and that they shall have a moneths Pay advanced when they are first mustered in *Ireland*, and thereafter shall be duely paid from moneth to moneth; and that there shall be one Muster-master appointed by the *English* Muster-master General, to make strict and frequent Musters of the *Scotish* Army; and that what Companies of men shall be sent out of *Scotland* within the compass of the

the ten thousand men, shall be paid upon their Musters in *Ireland*, although they make not up compleat Regiments.

Twelfthly, it is agreed, That the *Scotish* Army shall receive their discharge from the King and Parliament of *England*, or from such Persons as shall be appointed and authorized by His Majesty and both Houses of Parliament for that purpose; and that there shall be a moneths warning before-hand of their disbanding; which said discharge and moneths warning shall be made known by His Majesty and them to the Council of *Scotland*, or the Lord Chancellour, a moneth before the discharging thereof; and that the Common Souldiers of the *Scotish* at their dissolution shall be allowed fourteen dayes Pay for carrying of them home.

Thirteenthly, it is provided and agreed, That at any time after the three moneths now agreed upon for the entertainment of the *Scotish* Army shall be expired, and that the two Houses of Parliament, or such Persons as shall be authorized by them, shall give notice to the Council of *Scotland*, or to the Lord Chancellour there, that after one month from such notice given the said two Houses of Parliament will not pay the said *Scotish* Army now in *Ireland* any longer, then the said two Houses of Parliament shall not be obliged to pay the said Army any longer then during the said moneth, any thing in this Treaty contained to the contrary notwithstanding.

The Ordinances of the 9. of March, and 11. of April.

Die Sabbati, 9. Martii, 1643.

Resolved upon the Question by the Lords and Commons in Parliament assembled,

VIII.

THAT he who doth or shall command in chief over the said Army by joynt Advice of both Kingdoms, shall also command the rest of the *British* Forces in *Ireland*; and for the further managing of that Warre, and prosecuting the Ends expressed in the Covenant, that the same be done by joynt Advice with the Committees of both Kingdoms.

Die Fovis, 11. April. 1644.

Resolved upon the Question by the Lords and Commons in Parliament assembled;

THAT the Earl of *Leven*, Lord General of the *Scots* Forces in *Ireland*, (being now by the Votes of both Houses agreed to be Commander in chief over all the Forces, as well *British* as *Scots*, according to the Fourth Article of the result of the Committees of both Kingdoms passed both Houses) be desired with all convenient speed, by the Advice of the said Committees, to appoint and nominate a Commander in chief under his Excellency over the said Forces, to reside with them upon the place.

Resolved, &c.

THAT Committees be nominated and appointed by the joynt Advice of both Kingdoms, of such numbers and Qualities as shall be by them agreed on, to be sent with all convenient speed to reside with the said Forces, and inabled with all ample Instructions by the joynt Advice of both Kingdoms for the Regulating of the said Forces, and the better carrying on of that Warre.

The Letter of the Lords Justices and Council of Ireland to the Speaker of the House of Commons in England, 4. April 1643. a Duplicate whereof (the Original being sent to Westminster) was by them sent to Master Secretary Nicholas for his Majesty.

S I R,

IX.

OUR very good Lord, the Lord Marquess of *Ormond*, having in his March in his last Expedition consulted several times with the Commanders and Officers of the Army in a Council of Warre, and so finding that subsistence could not be had abroad for the Men and Horses he had with him, or for any considerable part of them, it was resolved by them, that his Lordship with those Forces should return hither, which he did on the six and twentieth of *March*.

In his return from *Rosse* (which, in the case our Forces stand, he found so difficult to be taken in, as although our Ordnance made a breach in their Walls, it was found necessary to desert the Siege) he was encountred by an Army of the Rebels, consisting of about six thousand Foot and six hundred and fifty Horse well armed and horsed; yet it pleased God so to disappoint their counsels and strength, as with those small Forces which the Lord Marquess had with him, being of fighting men about two thousand five hundred Foot, and five hundred Horse not well armed, and for the most part weakly horsed, (and those as well Men as Horses much weakened by lying in the fields several nights in much cold and rain, and by want of mans-meat and horse-meat) the Lord Marquess obtained a happy and glorious deliverance and Victory against those Rebels, wherein were slain about three hundred of them, and many of their Commanders and others of Quality, and divers taken Prisoners, and amongst those Prisoners Colonel *Cullen* a Native of this City, who being a Colonel in *France*, departed from thence, and came hither to assist the Rebels, and was Lieutenant-General of their Army in the Province of *Leinster*; and the Rebels Army were totally routed and defeated, and their Baggage and Munition seized on by His Majesties Forces, who lodged that night where they had gained the Victory; and on our side about twenty slain in the fight, and divers wounded.

We have great cause to praise God, for magnifying his Goodness and Mercy to His Majesty and this His Kingdom so manifestly, and indeed wonderfully, in that Victory.

However, the Joy due from us upon so happy an occasion is, we confess, mingled with very great Distraction here in the apprehension of our Unhappiness to be such, as although the Rebels are not able to overcome

come His Majesties Army, and devour His other good Subjects here as they desire, yet both His Army and good Subjects are in danger to be devoured by the wants of needful Supplies forth of *England*. For, as we formerly signified thither, those Forces were of necessity sent abroad to try what might be done for sustaining them in the Countrey, so as to keep them alive until Supplies should get to us; but that designe now failing, those our hopes are converted into astonishment, to behold the unspeakable Miseries of the Officers and Souldiers for want of all things, and all those Wants made the more unsupportable in the want of Food, whilest this City (being all the help we have) is now too apparently found to be unable to help us, as it hath hitherto done, and divers Commanders and Officers in the Army do now so farre express their sense of their Sufferings, (which indeed are very great and grievous) as they declare that they have little hope to be supplied by the Parliament, and press with so great importunity to be permitted to depart the Kingdom, as it will be extreme difficult to keep them here.

By our Letters of the three and twentieth of *March*, we signified thither the unsupportable burthen laid on this City, for Victualling those of the Army left here when the Lord Marquess with the Forces he took with him marched hence; which burthen is found every day more heavy then other, in regard of the many House-keepers thereby daily breaking up house, and scattering their Families, leaving still fewer to bear the burthen. We also by those Letters, and by our Letters of the five and twentieth of *February*, advertised thither the high danger this Kingdom would incur, if the Army so sent abroad should by any distress or through want be forced back hither again before our relief of Victualls should arrive forth of *England*.

When we found that those men were returning back hither, although we were (and are still) full of Distraction, considering the dismall consequences threatned thereby in respect of our Wants, yet we consulted what we could yet imagine feasible that we had not formerly done, to gain some Food for those men; and found, that to send them or others abroad into the Countrey we cannot, in regard we are not able to advance Money for procuring the many requisites incident to such an Expedition. In the end therefore we were enforced to fix on our former way, and so to see who had any thing yet left him untaken from him to help us: and although there are but few such, and some of them poor Merchants, whom we have now by the Law of Necessity utterly undone, and disabled from being hereafter helpful to us in bringing us in Victualls or other needfull Commodities; yet were we forced to wrest their Commodities from them. And certainly there are few here of our selves or others, that have not felt their parts in the enforced rigour of our proceedings towards preserving the Army; so as what with such hard dealing, no less grievous to us to doe then it is heavy to others to suffer, and by our descending (against our hearts) farre below the Honour and Dignity of that Power we represent here under His Royal Majesty,
we

we have with unspeakable difficulty prevailed so as to be able to finde Bread for the Souldiers for the space of one moneth.

We are now expelling hence all Strangers, and must instantly send away for *England* thousands of poor despoiled *English*, whose very eating is now unsupportable to this place.

And now again and finally, we earnestly desire, (for our Confusions will not now admit the writing of many more Letters, if any) that His Majesty and the *English* Nation may not suffer so great, if not irrecoverable, prejudice and Dishonour, as must unavoidably be the consequence of our not being relieved suddenly; but that yet (although it be even now at the point to be too late) supplies of Victualls and Munition in present be hastened hither to keep life until the rest may follow, there being no Victuall in the store, nor will there be a hundred barrells of Powder left in the store when the out-Garrisons (as they must be instantly) are supplied, and that remainder, according to the usuall necessary expence, besides extraordinary accidents, will not last above a moneth. And the residue of our Provisions must also come speedily after, or otherwise *England* cannot hope to secure *Ireland*, or secure themselves against *Ireland*, but in the loss of it must look for such Enemies from hence as will perpetually disturb the Peace of His Majesty and His Kingdom of *England*, and annoy them by Sea and Land, as we often formerly represented thither: which Mischiefs may yet be prevented, if we be yet forthwith enabled from thence with means to overcome this Rebellion.

We hope that a course is taken there for hastening hither the provisions of Arms and Munition mentioned in the docquet sent with our Letters of the twentieth of *January*, and the six hundred Horses which we then moved might be sent hither for recruits, and that the seven thousand eight hundred fourscore and thirteen pounds three shillings for Arms to be provided in *Holland* (besides those we expect in *London*) hath been paid to *Anthony Tierens* in *London*, or to *Daniel Wibrants* in *Amsterdam*; and if that Summe had been paid as we at first desired, we might well have had those Provisions arrived here by the tenth of *March*, as we agreed: however we now desire that that Money, if it be not already pay'd, may be yet pay'd to M^r *Tierens* in *London*, or M^r *Wibrants* in *Amsterdam*, that so those Provisions may arrive here speedily, which (considering that Summer is now near at hand) will be very necessary, that when our supplies of Victualls, Munition, Cloaths, Money, and other Provisions shall arrive, we may not in the publick Service here loose the benefit and advantage of that season. And so we remain, from His Majesties Castle of *Dublin*, 4. *April* 1643.

POST-SCRIPT.

As we were ready to signe this Dispatch, we received at this Board a Paper signed by sundry Officers of the Army, now here at *Dublin*, which is in such a Style, and threatens so much Danger, as we hold necessary to send

send a Copy thereof here inclosed; whereby still appears the high necessity of hastening away Money for them and the rest of the Officers, and Victualls for the Souldier, without which it will be impossible to contain them from breaking out into Mutiny.

The Letter inclosed.

My Lords,

AT our first entrance into this unhappy Kingdom, we had no other designe then by our Swords to assert and vindicate the Right of His Majesty, which was here most highly abused, to redress the Wrongs of His poor Subjects, and to advance our own particulars in the prosecution of so honest undertakings. And for the first of these, we do believe they have since our coming over succeeded pretty well: but for the last, which concerns our selves, that hath fallen out so contrary to our expectations, that in stead of being rewarded, we have been prejudiced; in stead of getting a Fortune, we have spent part of one; and though we behave our selves never so well abroad, and perform the actions of honest men, yet we have the reward of Rogues and Rebels, which is, Misery and Want, when we come home. Now (my Lords) although we be brought to so great an exigence, that we are ready to rob and spoil one another; yet to prevent such outrages, we thought it better to try all honest means for our subsistence before we take such indirect courses. Therefore if your Lordships will be pleased to take us timely into your considerations, before our urgent Wants make us desperate, we will, as we have done hitherto, serve your Lordships readily and faithfully: But if your Lordships will not finde a way for our Preservations here, we humbly desire we may have leave to goe where we may have a better Being; and if your Lordships shall refuse to grant that, we must then take leave to have our recourse to that first and primary Law which God hath endued all men with, we mean the Law of Nature, which teacheth all men to preserve themselves.

*The Letter of the Lords Justices and Council of Ireland to
His MAJESTY, of the 11. of May, 1643.*

May it please Your most Excellent MAJESTY,

AS soon as we Your Majesties Justices entred into the charge of this x.
Government, we took into our consideration at this Board the
state of Your Army here, which we finde suffering under unspeak-
able Extremities of Want of all things necessary to the support of their
Persons or maintenance of the Warre; here being no Victualls, Cloaths, or
other Provisions requisite towards their sustenance, no Money to pro-
vide them of any thing they want, no Arms in Your Majesties Stores
to supply their many defective Arms, not above forty Barrels of Powder
in Your Stores, no strength of serviceable Horses being now left here,
and

and those few that are, their Arms for the most part lost or unserviceable, no Ships arrived here to guard the Coasts, and consequently no security rendred to any that might (on their private Adventures) bring in Provisions of Victuals, or other necessities, towards our subsistence, and finally, no visible means by Sea or Land of being able to preserve for You this Your Kingdom, and to render deliverance from utter Destruction to the remnant of Your good Subjects yet left here.

We finde that Your Majesties late Justices and this Board have often and fully by very many Letters advertised the Parliament in *England* of the extremities of Affairs here, and besought relief with all possible importunity, which also have been fully represented to Your Majesty, and to the Lord Lieutenant, and Mr Secretary *Nicholas*, to be made known to Your Majesty: and although the Winds have of late for many dayes (and often formerly) stood very fair for accessions of Supply forth of *England* hither, and that we have still with longing expectations hoped to finde Provisions arrive here in some degree answerable to the necessities of Your Affairs; yet now (to our unexpressible grief) after full six moneths waiting, and much longer patience and long suffering, we find all our great Expectations answered in a mean and inconsiderable quantity of Provisions, (*viz.*) threescore and fifteen barrells of Butter, and fourteen Tunne of Cheese, being but the fourth part of a small Vessels loading, which was sent from *London*, and arrived here on the fifth day of this Moneth, which is not above seven or eight dayes Provision for that part of the Army which lies in *Dublin* and the out-Garrisons thereof; no Money or Victuals (other then that inconsiderable proportion of Victuall) having arrived in this place, as sent from the Parliament of *England*, or from any other forth of *England*, for the use of the Army, since the beginning of *November* last.

We have (by the Blessing of God) been hitherto prosperous and successful in Your Majesties Affairs here; and should be still hopefull, by the Mercy of God, under the Royal Directions of Your Sacred Majesty, to vindicate Your Majesties Honour, and recover Your Rights here, and take due Vengeance on these Traitors for the innocent blood they have spilt, if we might be strengthened and supported therein by needful Supplies forth of *England*: but these Supplies having hitherto been expected to come from the Parliament of *England*, (on which if Your Majesty had not relied, we are assured You would in Your high Wisdom have found out some other means to preserve this Your Kingdom) and so great and apparent a failer having hapned therein, and all the former and late long-continuing Easterly Winds bringing us no other Provisions then those few Cheeses and Butter, and no advertisements being brought us of any future supply to be so much as in the way hither, whereby there might be any likelihood that considerable means of support for Your Majesties Army might arrive here in any reasonable time, before we be totally swallowed up by the Rebels, and Your Kingdom by them wrested from You; we finde

our selves so disappointed of our hopes from the Parliament, as must needs trench to the utter loss of the Kingdom, if Your Majesty in Your high Wisdom ordain not some present means of preservation for us.

And considering, that if now by occasion of that unhappy and unexpected failing of support from thence, we shall be less successfull in Your Services here against the Rebels then hitherto (whilest we were enabled with some means to serve You) we have been, the shame and dishonour may, in common construction of those that know not the inwards of the cause, be imputed to us, and not to the failings that disabled us; and considering principally and above all things the high and eminent trust of Your Affairs here, deposited with us by Your Sacred Majesty, we may not forbear, in discharge of our Duty, thus freely and plainly to declare our humble apprehensions, to the end Your Majesty thus truly understanding the terribleness of our Condition, may finde out some such means of support to preserve to Your Majesty and Your Royal Posterity this Your Ancient and Rightful Crown and Kingdom, and derive Deliverance and Safety to the Remnant of Your good Subjects yet left here, as in Your Excellent Judgement You shall find to be most for Your Honour and Advantage.

And so praying to the King of Kings to guide and direct You for the best in this high and important Cause, and in all other Your Counsels and Actions, we humbly remain, from Your Majesties Castle of Dublin, the 11th day of May, 1643.

*Your Majesties most Loyall and most
Faithfull Subjects and Servants.*

*HIS MAJESTIES Answers to certain Papers delivered
in to His Commissioners at Uxbridge upon the Close of
the Treaty; One concerning the Militia, and two concer-*
ning Ireland.

See them in the
Narrative. num.
136, 177, & 178.

*To which (being long, and coming in so near the breaking up
of the Treaty) no Answers could then be given.*

HAVING received an account of the passages of the late Treaty from Our Commissioners, We caused a Narrative thereof to be made and published; wherein, besides the necessary Connexions, there is nothing set down but what passed in Writing: But because their last Paper upon the Subject of the

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Militia,

Militia, and two last Papers concerning *Ireland*, were delivered upon the close of that Treaty; although We conceive the Answers given in the Papers formerly delivered by Our Commissioners are abundantly sufficient to give satisfaction to those also; yet because there may be a want of memory in some, and of observation in others, who shall read that Narrative, to bring home and apply the former Answers of Our Commissioners to those Papers, and because they seem to expect Answers, which (the Treaty being determined) cannot be given by Our Commissioners, and to vindicate Our Self from many passages scattered in those Papers, particularly reflecting upon Our Person and Royal Authority, We have thought fit, for the further satisfaction of all Our good People, to make these ensuing Answers.

* See it in the Narrative, num. 136.

And first to that * Paper concerning the *Militia*.

Whoever shall observe the passionate expressions in the close of this Paper, (wherein they do most earnestly desire Our Commissioners, as they tender the deplorable Estate of these bleeding Kingdoms, the settling Religion, Our Honour, and the composing these miserable Distractions, to give full and clear Answers to the Demands concerning the *Militia*) might very well believe, that they who so importunately demanded would as willingly have received an Answer. But when it shall be considered that this Paper was not delivered in till after two of the clock in the morning upon the breaking off the Treaty, when they had denied any further time to treat, or to receive any Papers dated as within the time of the Treaty, (as formerly was mutually done, and this very Paper of theirs delivered in truth upon the 23. was received as dated the 22. of February) it will be most apparent they kept it as a Reserve to be purposely and by design delivered so as it should remain unanswered.

For the matter of that Paper; They say, they have by their Answers satisfied the several Questions proposed to them by Our Commissioners touching the *Militia*. It was necessary they should have done so, that it being proposed to Us to part with so great a Trust as the power of the Sword, and to put it wholly out of Our own hands,
We

We might know how, and to whom, and for what time, and upon what terms We parted with it. But We will look back upon some of their Answers, that it may appear what they are.

Our Commissioners desired to know, who the Commissioners should be in whose hands the Forces both by Sea and Land should be entrusted, and whether We might except against such persons, and name others in their places of known Affections to Religion and Peace. To that part of the Question, Whether We might except against the Persons, they made no Answer. To the other part, requiring who the Commissioners should be, they answered, *That the Commissioners were to be named for England by the two Houses, and for Scotland by the Estates of the Parliament there: whereas the Question was not, Who should name those Commissioners; but, Who they were that should be named, a thing most necessary for Us to know, before We entrusted them with so great a Power.*

See the Narrative, n. 77.

num. 78.

Our Commissioners desired to know, Whether the *Militia* of *London* should be independent and not subordinate to those Commissioners. They answered, *It appeared by the Propositions, the same was to be ordered in such manner as should be agreed on by both Houses.* Which was no Answer to the Question, though likewise necessary to be known, the *Militia* of *London* being so great and of such importance.

num. 80.

num. 81.

Our Commissioners desired to know, What Authority the Commissioners nominated by the Estates of the Parliament of *Scotland* were to have in the *Militia* and settling of all Forces by Sea and Land in this Kingdom, and what influence the Advices and Orders from the Estates of that Parliament should have upon this Kingdom. They answered, *That might be fully satisfied by the Propositions concerning the Militia.* And though Our Commissioners desired it, they could get no other Answer from them in writing.

num. 105, & 107.

num. 106, 107, 112.

Our Commissioners desired to know, What Jurisdiction they intended the Commissioners of both Kingdoms should have, by the power given to them to hear and determine all differences that might occasion the breach of the Articles of the Peace, and by what Law they should proceed to hear and determine the same. They answered, *That the Commissioners were to proceed in such manner as*

num. 109.

num. 110.

was expressed in the Propositions. Whereas the Propositions express no more then what is contained in the words of the Question. And
 num. 111. being further pressed to an Answer, they answered, *That the matter of the Jurisdiction of the Commissioners was expressed in the Propositions; and for the manner of exercising of it, and by what Law they should proceed, The same was to be settled by the two Houses of the Parliament of England and the Estates of the Parliament of Scotland respectively.* This being no Answer, and a full and direct Answer being
 num. 113, 115. required to these Questions, the Answer given was, *That they referred themselves therein to their former Answers.*

num. 116. Our Commissioners desired to see the Act of the late Treaty for the settling of the Garrison of *Barwick*, of the 29. of November 1643. (being made betwixt the two Houses and those of Scotland, without Our Privy) as relating to the business of the *Militia*: They
 num. 117. answered, *It was not then to be Treated on, but was reserved to its proper time;* and Our Commissioners could never see it.

num. 118. Our Commissioners desired to know, Whether by the joynt Power mentioned in the Propositions to be given to the Commissioners for both Kingdoms, to preserve the Peace between the Kingdoms, and the King, and every one of them, they intended any other then Military power for suppressing Forces onely; which Question was asked, because in the Proposition there are two distinct Clauses, one whereby they have that Power to preserve the Peace, the other whereby they have Power to suppress Forces. In
 num. 119. answer to this they referre Our Commissioners to the Propositions.

That these Answers (though made to Questions arising upon the doubtful expressions in their Propositions) referring to the Propositions themselves, or to what was not then, but was after to be settled by the two Houses, are not satisfactory Answers to those Questions, is most evident. But We do not wonder they were unwilling We should see the clear drift of those Propositions, the ill consequence whereof (which hereafter appears) We are willing to believe most of those who agreed unto them did not at first apprehend.

They say, *They marvel why it should be insisted on, that the Commissioners for the Militia should not be nominated by the two Houses onely, and that*

that We, who were to be equally secured, should name * none, since this Power was not to be exercised till a Peace concluded upon the Treaty, and then We had been secured by the Laws of the Kingdom, and by the Duties and Affections of Our Subjects. We think it farre more matter of wonder (since it is confessed that We, and such Our Loyal Subjects who have faithfully and constantly adhered to Us, were equally to be secured) that they would allow Us no security at all, but to put Our selves wholly upon them, who even afterwards in this Paper deny Our Just Power of the Militia, and of making Peace and Warre, and might with much more colour hereafter doe so, if by Our Consent that Power should be once, though for a time onely, put wholly into their hands. It is true, the Laws of the Land and the Hearts of the People are the best security for a Prince, that He shall enjoy what belongs to Him: But it is as true, that the Laws of the Land and the Love of the Prince towards His People are likewise their best security, that they shall enjoy what belongeth to them. It is a mutual confidence each in other that secures both: but this is to be understood in calm and quiet times. The present Distempers have bred mutual Jealousies: and if they think it not at this time reasonable wholly to trust the Laws and Us concerning their security, but require the Power of the Militia, in which they have no Right; much less is it reasonable that We should wholly trust them concerning Our security, who avowedly bear Arms aginst Us: but if for the love of Peace We are content for a time to part with this great Power, which is Our known Right, it is reasonable that We should have the nominating of some of those who should be trusted with it. Yet on Our part We were well content to repose Our selves in that security they mention, if the two Houses would likewise have relied upon the same security of the Laws and Affections of the People, to which they so much pretend: But though it was offered that We should return to Our two Houses, whereby all Armies being Disbanded, both they and We might have been restored to the Laws, and guarded by those Affections of the People, yet that was not admitted. They say, *This Power of the Militia was not to be exercised till after a Peace*; but they do not remember it is to be agreed on before a Peace, and proposed in order to a Peace: and We might with as much Rea-

* These are their words, but seem to be mistaken, for Our Commissioners alwaies insisted, We should name some of them.

See Our Commissioners Paper, touching Our Return to the two Houses, after Disbanding of Armies, num. 191.

son (and farre more Justice, in respect of Our undoubted Right over the *Militia* of this Kingdom) have insisted upon the sole nomination of the Commissioners, because their Power was not to be exercised till a Peace concluded, as they for that cause to have excluded Us from the nomination of an equal number, and assumed that Power wholly to themselves, not affording Us so much as the liberty to except against any of them. And whereas they say these Commissioners for the *Militia* have a Rule prescribed, and being removable and lyable for any miscarriage to a severe punishment, cannot doe any thing to Our prejudice, contrary to the Trust reposed in them: If they had such a Rule (which yet by their Propositions and Papers We cannot finde, having by generall and indefinite terms an unlimited Power given to them) it proves they should not, not that they would not break it. He that hath Power (as these Commissioners would have the greatest that ever Subjects had) and Will to abuse that Power, may extend and interpret the Rule prescribed him as he shall please himself. And therefore since out of Our ardent desire of Peace, We were content to part with this Power, We had reason to require, that at least some of those who should execute it might be such whom We Our selves should nominate and could trust.

For that which is said, That if the Commissioners had been severally chosen, the memory of these unnatural Divisions must needs have been continued, and probably being severally named, they would have acted dividedly according to severall Interests, and the Warre thereby might be more easily revived: It is apparent, the memory of the Warre must as much continue where any Commissioners are named at all, as where they are named by either Party, since by putting that Power into their hands it is put out of the proper Chancel. But it is not the memory of a past Warre that is dangerous, but such a remembrance of it as is joyned with a desire or inclination to revive it. And if it were probable, as is alleged, that if the Commissioners were partly chosen by Us and partly by them, that being severally named, they would have acted dividedly according to severall Interests; it would be much more probable, that being wholly named by them, they would have acted onely according to their Interest, and so on Our part, in stead of an equal Security, We must have been contented with

with what Laws and Conditions they would have imposed. But We shall again remember, that the offer on Our part was to name such against whom there could be no just Exception, if the Persons were named equally betwixt us. It was likewise offered, That those Commissioners should take an Oath for the true discharge of their Trust; that We Our selves were willing to take an Oath to observe the Articles of the Treaty; and that all Persons of any immediate Trust by Offices or attendance upon Us, and all others whom they should nominate, should take the like Oath, and with such penalties, that whosoever should infringe the Agreement, should be accounted most pernicious Enemies to Us and the Kingdoms. And if this way of mutual nomination were not approved, there was another proposed, that the Persons should be nominated between Our Commissioners and theirs, by whose mutual consent it might well have been hoped such persons might have been named, in whom We and they might have confided. But to this no Answer hath been vouchsafed, nor could any thing satisfy concerning the Militia, unless, without knowing who the Persons were who should be entrusted, We should with an implicate Faith in Persons whom We did not know put that Power into their hands.

They say, that though by their Propositions the Commissioners were to continue without any limitation of time, yet they have since proposed a time of seven years. We know not that they have, during the whole Treaty, in any one particular receded from insisting on their Demands as they are set down in their Propositions *in terminis*. And in this point though they seem to reduce the time, which in their Propositions was indefinite, to a certainty, to which yet the Scottish Commissioners have not absolutely agreed, the alteration is more in shew than in deed, and rather to the heightning than abating their Demands. For whereas they have limited the time to seven years, yet it is with an additional Clause, That after those seven years it was to be executed as We and they should agree, and not otherwise: so that though the Commissioners should have the Power but for seven years, yet We should not have it after those seven years, nor at any time, unless they and We could agree in it: so much would they have gained by this seeming compliance in point of limitation of this Power to a time, though not to that time of three years which We proposed.

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But

num. 130. But they justify the Reasonableness of it: for whereas Our Commissioners in their Paper (to which this of theirs is applied as an Answer) tell them, that if the time for this Power be unlimited, *We and Our Posterity shall for ever part with Our peculiar Regall Power of being able to resist Our Enemies or protect Our good Subjects, and with that undoubted and never-denied Right of the Crown to make Warre and Peace, or ever more to have Jurisdiction over Our own Navy and Fleet at Sea, (the Command thereof being also a part of this great Power*
 num. 136. *to be given to these Commissioners:)* they answer plainly, *They cannot admit of this peculiar Regall Power, which Our Commissioners mention, to reside in Us, concerning the Militia, and to make Peace and Warre, or that it is otherwise to be exercised then by Authority from Us and both Houses of Parliament of England and the Estates of the Parliament of Scotland respectively.* We approve of their ingenuity, that now at the breaking off of the Treaty, they tell Us in plain terms what they mean: Though the Common-Law-books and Records of Parliament have mentioned, that the sole Power of protecting the Subjects belongs to the King, and that He alone hath Power to make Peace and Warre; though it hath been the language of former Parliaments, even of the last Parliament, and at the beginning of this Parliament, *That the Power of Peace and Warre is in the King; but if He will have Money from His Subjects to maintain the Warres, He must have their Consents;* and though the universal consent and common opinion heretofore hath gone accordingly: yet they cannot admit thereof as to have been Our Right (for the Answer is made to the assertion concerning Our Right.) And not admitting it, it seems their Oaths of Allegiance and Supremacy, to defend Our Crown and Dignity, and to assist and defend all *Jurisdictions, Privileges and Authorities* belonging to Us, oblige them not. And as they do not admit this Power in Right to have been in Us alone for the time past, so neither will they admit it for the time to come, in Us or Our Successors, to be able to resist Our Enemies or protect Our Subjects, or to make Peace or Warre, but it must be by *Authority from Us and the two Houses, and the Estates of the Parliament of Scotland, respectively.* They are to be associated in these Regal Powers, and the Scepter and the Sword may in Pictures or Statues, but are not in deed to be in the Kings hand alone. Upon these grounds, We wonder not that they

they would have the Navy and Fleet at Sea to be put into the hands of their Commissioners for seven years, as the *Militia* for the Land, and after the seven years to be commanded in such manner as they and We should agree, and not otherwise; for they say, *the Reasons are the same for them as for the Militia by Land*. It is a principal means, they say, of their security; and We cannot finde they think themselves to have any security, if We and Our Successors have any Power: But if We will part with Our Power wholly unto them, We and Our Posterity shall be fully secured by the Affections of Our Subjects (that is, by the Lords and Commons now at *Westminster*, who in their sense represent all the People) who by themselves during the Parliament, or, when they shall please to make any *Recesses*, by their Commissioners during the Intervalls, will free Us from the burthen of the *Militia* and of Our Navy, and so of protecting Our Subjects, and will save Us the Charge of Our Navy, because it is to be principally maintained by the free gift of the Subject out of *Tonnage and Poundage*, and other *Impositions upon Merchandise*. And having taken this care for Our Security (sutable to all their Actions these three years last past) they say, that for security of those who have been with Us in the Warre, an *Act of Oblivion* is desired to be passed, whereby all Our Subjects would have been put in one and the same condition and under the same protection, with some *Exceptions* mentioned in the *Propositions*. We are not willing to mention those *Exceptions*, by which not onely most of Our best Subjects (who have been with Us in the Warre according to their Duties) by expresse or general terms are excepted, but all the Estates of some of them, and a great part of the Estates of the rest of them, for that very cause, because they were with Us in the Warre, are to be forfeited. As for securing them by an *Act of Oblivion*, they have less cause to desire it then they who propose it, as being more secured by the Conscience of doing their Duties, and the protection of the known common Law of the Land, if it might take place, then any protection under the two Houses or their Commissioners for the *Militia*: yet We were not unwilling, for the security of all Our Subjects, to have assented to an *Act of Oblivion*, being willing, as much as in Us lies, to have made up these Breaches, and buried the memory of these unhappy Divisions.

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It was urged by Our Commissioners, that according to the literal sense of the Propositions (in the Powers given to the Commissioners for the Militia) *That Sheriffs and Justices of Peace, and other legal Ministers, could not raise the Posse Comitatus, or Forces to suppress Riots, without being liable to the interpretation of the Commissioners.* To this they answer, *That this is no part of the Militia to be exercised by the Commissioners, but in executing of Justice and legal Process, nor can be intended to be any disturbance, but for the preservation of the Peace.* We shall admit that to be their meaning; but it being by the Propositions made Treason in any who shall levy any Forces without Authority or consent of the Commissioners, to the disturbance of the publick Peace, it is apparent that the Sheriffs or Justices of Peace, if they raise any Forces to suppress any tumultuous Assembly, (which it is possible some of the Commissioners may countenance) or for executing of other legall Acts, may not onely be liable to the interpretation of being disturbers of the publick Peace, but feel the punishment of it. And whereas they say, *That the Power* (given by the Propositions to the Commissioners for the Militia of both Kingdoms as a joynt Committee) *for the hearing and determining Civil Actions and Differences cannot be extended further then preservation of the Articles of the Peace to be made:* We conceive that a Court being thereby allowed to them for the hearing and determining of Civil matters for the preservation of the Articles of the Peace, they may in order thereunto (upon pretence it is for the preservation of the Peace) entertain and determine any Cause or Difference they please, especially their Power by the Propositions being, *not onely to preserve the Peace, but to prevent the violation of the Articles of the Peace;* and having the power of the Sword in their hands, and being not tied up to any certain Law, whereby to judge, (for ought appears by their Answers to the Questions proposed by Our Commissioners) and the Common Law not being the Rule in such case, (because part of them are to be of the Scottish Nation) they may without controll exercise what Arbitrary Power they please.

And whereas it is insisted upon in this Paper, *That an Answer be given to the fifteenth Proposition, which is, That the Subjects be appointed to be Armed, Trained and Disciplined in such manner as both*
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Houses shall think fit; which Our Commissioners thought fit to have deferred till after the Peace established, and then to be settled by Us and the two Houses: it is apparent, that Proposition concerned not (that which was desired as the end of their Propositions) the security for the observation of the Articles; and We conceive there is already sufficient provision made by the Law in such cases; and if there were not, it were fit that that defect were supplied by Law, not to be left at large, as the two Houses should think fit, without expressing the manner of it, but to proceed by a Bill, wherein We might see before We consented to it how Our Subjects should be charged, We being as much concerned and sensible of the burthen to be put upon Our Subjects as the two Houses can be, who, We are sure, since they took upon them the authority of imposing upon their fellow-Subjects without Us, have laid the heaviest Impositions that ever were.

And whereas they say, *The scope of these their Propositions touching the Militia was to take away occasions of future Differences, to prevent the raising of Arms, and to settle a firm and durable Peace*: If We look upon the whole frame of their *Militia* as they have proposed it to Us, We cannot but conclude those Propositions to be most destructive to those ends. For first, they have proposed it to Us (as they have settled it already by their Ordinance) That the whole *Militia of Ireland*, as well of Our *English* Subjects as *Scotish*, shall be Commanded by *Lesley Earl of Leven*, their *Scotish* General, and be managed by the joynt Advice of the *Scotish* and *English* Commissioners, and therein the *Scotish* as well as the *English* to have a Negative Voice, and so by consequence subjecting the whole Government of that Kingdom to the manage of Our *Scotish* Subjects. And (having thus ordered the *Militia of Ireland*, where they will be sure to keep Forces on Foot (for that is another part of the Propositions, *That We shall assent to whatsoever Acts shall be proposed for Moneys for the Warre of Ireland*) which Forces shall be ready upon all occasions to serve them) for the *Militia* and Navy of *England*, that is likewise to be ordered and Commanded by these Commissioners: and though We their Sovereign are denied to nominate any to be joynt-Commissioners, they are content to admit those of *Scotland* (who, though Our Subjects, yet are strangers to their Government) to a nomination of *Scotish* Commissioners

missioners to be joynd with them. These *Scotish* Commissioners in matters wherein both Kingdoms are joyntly concerned (and they may easily call and make what they will to be of joynt concernment) are to have a Negative Voice, so that the *English* can doe nothing without them, not so much as to raise Force to suppress a Commotion or prevent an Invasion, if the *Scotish* Commissioners, though not a third part of the number of the *English*, say it is of joynt concernment; and in matters solely concerning *England*, the *Scotish* Commissioners (to a third part of the whole number of the Commissioners) are to reside in *England*, and to Vote as single Persons.

These Commissioners, as well *Scotish* as *English*, as they have the sole Power of the Forces by Sea and Land, so they must have a Court in a Civil way, to hear and determine whatsoever Civil action that shall tend to the preservation of the Peace, or whatsoever else is for the prevention of the violation of it; within which general words, and in order thereunto, they may comprehend any cause or thing they please. And as these Commissioners, as well *Scotish* as *English*, are to name all Commanders and Officers in Our Forts and Ships; so in the Intervalls of Parliament, lest there should be too much dependance upon Us, they are to name all the great Officers and Judges of both Our Kingdoms of *England* and *Ireland*.

To these so unreasonable Propositions, wherein the Parliament and Subjects of *Scotland* would have so great an Influence and Power over the Kingdoms of *England* and *Ireland*, if (as reflecting merely upon Our selves, and not entertaining such thoughts of Our *Scotish* Subjects as perhaps some may by the danger of such a Power) We should have agreed, as hoping that the good Affections of Our Subjects in *Scotland* might in time have restored Us to that Power which the two Houses of *England* would take away; yet when We consider, that We are in Conscience obliged to maintain the Rights of Our Crown so farre as to be able to protect Our Subjects, and what jealousies and heart-burnings it might probably produce betwixt Our Subjects of the two Kingdomes, what reluctancy all Our Subjects here may have when they shall see Our Power so shaken, and they must have so much dependency upon their fellow-Subjects

jects both *English* and *Scotch*, We conceive it so farre from being a *Remedy to the present Distempers*, (as they affirm in their Papers) that as at present it would alter the whole frame and constitution of the Government of this Kingdom, both Civil and Military, so in the conclusion it would occasion the Ruine and Desolation of all Our Kingdoms.

His MAJESTIES Answer to the two Papers
concerning *Ireland*.

See these in the
Narrative, num.
177, & 178.

IT hath been one of the chiefest designs of the Authors of the present Distractions, to insinuate unto Our People, that We were either privy to the Rebellion in *Ireland*, or assenting to the continuance of it; and if it could not be personally fixed upon Our self, yet to perswade them into a belief that evil Counsellors and others prevalent with Us did encourage and assise it. By this means having a colour to raise Forces, and to levy Money for the supply of those Forces, they might so dispose of both, as under a pretence of suppressing the Rebels in *Ireland*, they might thereby also raise a Warre in *England*, for the effecting of their Ambitious and Covetous desires in both Kingdoms. And they so carried on this Designe, that whereas out of Our earnest desire of the relief of Our poor Subjects in *Ireland*, and to shew the great sense We had of their Miseries, We had given way to several unusual Bills for raising of Forces, and likewise to the Bill for the 400000 l. for the Adventurers and others, for raising of Moneys, (which Moneys by those Acts were to be pay'd to particular Persons, or otherwise out of the ordinary course, and not into Our Exchequer, as was usuall in like cases, thence to be issued for publick use) those Supplies were diverted and imployed to feed and nourish a Rebellion in *England*, rather then to suppress that in *Ireland*. Thus 100000 l. of the Adventurers Money was imployed for the Earl of *Essex* his Army when he first march'd against Us; and that imployment of it, though contrary to the expresse words of the Act, which are, That no part of that Money shall be imployed to any other purpose then the reducing of those Rebels, was publickly justified by a Declaration made in the name of the House of Commons

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the sixth of September, not long before the Battell at *Edge-hill*: and at the same Battell, several Regiments of Horse and Foot raised for *Ireland*, under the Command of the Lord *Wharton*, Lord of *Leny*, Sir *Faithfull Fortescue* and others, were employed against Us at *Edge-hill*: the Moneys raised upon the Bill of 400000 l. and others have been wholly made use of against Us. And it was impossible, without thus working themselves (under the specious pretence of suppressing the Rebellion of *Ireland*) into the managery of that Warre, and misapplying the aids intended for *Ireland*, to have brought this Kingdome into the bleeding and desperate condition wherein it now languisheth.

The Propositions concerning *Ireland*, as they are insisted upon by these Commissioners, (though in charity We shall hope not so intended by all of them) are apparently in pursuance of that original designe, in begetting a suspicion of Our Integrity in that business of *Ireland*, and ingrossing the managing of that Warre and the Power of that Kingdom into their hands. They would have the Cessation (which We have avowed to be assented to by Us, and advised as most necessary for the preservation of that Kingdom) to tend to the utter Destruction of the Protestants there, and the continuance of the Cessation there, (though but during the Warre here) to be a countenancing of that bloody Rebellion; and We Our selves are charged to be privy, and to give directions for the seising of some Provisions made and sent for the supply of the Protestants in *Ireland*. In the next place, concerning the Warre there, they demand that the prosecution of that Warre be settled in both Houses of Parliament, to be managed by the Advice of both Kingdoms of *England* and *Scotland*, (that is, a Committee of both Kingdoms, those of each Kingdom to have a Negative voice) and all the Forces there to be under the Command of the Scotch General; the Lieutenant and other great Officers and Judges there to be nominated by both Houses; and that We should consent to pass all Acts to be proposed by them for the raising of Moneys and other things necessary for the prosecution of that Warre. And notwithstanding all the zealous and pathetical expressions in those Papers, desiring the continuance of that War, and the execution of Justice upon those
Rebels;

Rebels; it is not barely the prosecution of the Warre in zeal of Justice that is desired, that might be managed either by Us (whom God and the Law have entrusted solely with that Power, and whose Predecessors have alone, and without the concurrence of their Parliaments, other then by competent assistance with Moneys, suppressed great Rebellions in that Kingdom) or by fit Ministers to be appointed, upon just occasion to be removed by Us: they have not made any the least Proposition or desire to that purpose. But they insist upon such a prosecution of the Warre, wherein those who are in Arms against Us may have the sole managing of the Warre, and of Moneys to maintain that Warre, even while they are in Arms against Us. For the Cessation already made, it is apparent it was the onely visible means whereby the Kingdome was preserved, the poor Protestants there being in danger inevitably to have perished, either by Famine for want of Food, or by the Rebels for want of Ammunition, there being not above forty Barrels of Powder there, as appears by the Letters of the Lords Justices and Councell of *Ireland* mentioned by Our Commissioners, and no supplies of Victualls or Money sent in six months time before those Letters (although Our Ships were then taken away from Us, and all the Forces at Sea belonging to this Kingdome were under their Command.) Neither could the not making void or declaring against that Cessation have hindered a Peace upon this Treaty, if it had been intended really on their part, it being to expire in *March*, and so before the Treaty could probably have been perfected, and there being no further Peace or Cessation made in *Ireland*. And therefore Our Commissioners did earnestly desire them to make such Propositions as were fit to be consented to, for the growth of the Protestant Religion, and the good of that Kingdom.

But in stead of such Propositions, they still except against the Cessation, and though expiring within a moneth, they insist upon their demands of *an Act of Parliament to make that Cessation void*: to which if We should have consented, as We must have rendered Our selves incapable of being trusted at any time after, and odious abroad in breaking that Cessation, solemnly made by Our

publick Ministers of State in *Ireland*, and after consented unto by Our selves; so We must have implicitly confessed, contrary to the truth, that which they allege against the Cessation, that it was destructive to the Protestants there, and a countenancing of that bloody Rebellion, and thereby having lost the Plea of Our Innocencie, have also lost the hearts of Our People, and rendred Our selves guilty of those infamous Slanders which have been charged upon Us concerning the *Irish* Rebellion, and which some were so willing to fix upon Us, that even during this Treaty, when *Mac-guire* was impeached by them for this Rebellion, for which he was by them after executed, (though they well knew Confessions of men in his condition, in hopes of Pardon or Reprieves, are not to be credited,) he was strictly examined concerning Us (as We are credibly informed) whether or no We gave any Commission to the Rebels of *Ireland*, or any assistance to them; and if he had not absolutely denied it to his last, with more sense of Conscience in that particular then they who examined him expected, it is likely whatsoever Untruths reflecting upon Us had been forced from him, had been (as others were) published to Our disgrace. And although they long questioned the credit and truth of those Letters of the Lords Justices and Council of *Ireland*, notwithstanding one of them being directed to the Speaker of the House of Commons was received and communicated to the House, and Ours was but a Duplicate thereof, and Copies were delivered to them of both Letters, which two of their Commissioners compared with Our Originals, and saw the Names of all the Council-subscribers as well as the two Lords Justices, some of which Councillors were of principal estimation with themselves, and they might also have had Copies of their Names who subscribed, if they would have assured Our Commissioners, that such of them as should have come into their Quarters should not have been prejudiced by it; yet the extremity of Our poor *English* Subjects inducing that Cessation being so notorious, and that attestation thereof undeniable, they fall at last to confess and avoid them: they say, *That some who were of the Council when those Letters were written assure them, that those Letters were written only to press for Supplies, without any intention of inducing a Cessation, neither do the Letters contain*

any

any mention of a Cessation. It is true, those Letters do not, nor was it alleged they did mention any Cessation; but they pressed for Supplies from hence, and laid open their Necessities to be such, that it was apparent to any man (as We had also private advices from some of the Council there, and of credit with those at *Westminster*) that if Supplies failed, there was no way for the preservation of Our good Subjects there but by a Cessation. And these bleeding Wants of Our Army and good Subjects there so earnestly calling for Relief, and (this Kingdom being then engaged in the height of an unnatural Warre) Our selves unable to supply them, and no timely supply nor hopes of it coming from the two Houses, what course less dishonourable for Us, or more for the good and safety of the poor *English* there, could be taken, then to admit of a Treaty for a Cessation, which was managed by Our publick Ministers of State there, and that Cessation assented unto as best for that Kingdom by the chief Officers of the Army and the Lords Justices and Council of *Ireland*, before Our Approbation thereof?

They say, that those Necessities were made by a designe of the *Papish* and *Prelaticall* Party (the *Prelaticall* Party must come in upon all turns, though none suffered more by the *Irish* Rebellion, nor were less advantaged by the Cessation, then those poor Prelates) and that at this very time when the Protestants were in such Extremity, Provisions sent thither by the Parliament for their Relief were disposed of and afforded to the Rebels. The Letters of the Lords Justices and Council tell us, that no Provisions at all were sent by the Parliament; and if they had not told it, yet this being barely affirmed, might as easily be denied, unless they had instanced in particular what Provisions were sent, and how, and when, and by whom, or to whom they were disposed. But they say, that at the same time the Officers of the Army and Garrisons, pressing for leave to march into the Enemies Countrey to live upon them, and save their own stores; some could not obtain leave to goe, and those who were drawn forth, had great quantities of Provisions out with them, yet were not permitted to goe into the Enemies Countrey, but kept near *Dublin* till their Provisions were spent, and then commanded back again. They might remember, at that time (wherein they suppose this miscarriage) the chief manage of those Affairs

was in the hands of such Ministers of State, whom they did and do still rely upon; but sure those Ministers are not to be blamed, if they durst not suffer the Souldier to march farre, or stay long in the Enemies Countrey, when there was but fourty Barrels of Powder in all the Store, or if they called them back in such case when the Enemy approached.

Let such as these, or what other pretences and excuses soever, be made for not relieving *Ireland*, We are sure the chief Impediment to it was their active promoting this Rebellion in *England*: And therefore, as they made use of the Supplies both of Men and Money, provided for that Kingdom, against Us at *Edge-hill*; so from the time of that Battel (some Supplies sent before (which else perhaps had been also countermanded) arriving in *Ireland* about the time, or shortly after that Battel) they were so carefull of recruiting and supplying their Armies here, that though they received much Moneys for *Ireland*, and had at their disposall great store of Our Ammunition, neither the one nor the other was ever after afforded to the *English* Army and Forces, or to the Protestants about *Dublin*, though the Cessation was not made till *September* following. As for those Protestants in *Munster*, *Connaught* and *Ulster*, who, they say, opposed the Cessation, and did and do still subsist, they were most of them of Our *Scotish* Subjects; the rest (excepting some few wrought upon by private interest or particular solicitation) were such, who being under their Power, were forced for their relief to concurre with them against it. These, indeed, as they did not suffer under so great Wants as the *English* at the time of the Cessation, as is well known, though it seem to be denied, more speciall Provisions being made for them and for their Garrisons then for the *English*, (as doth in great part appear even by the Articles of their Treaty of the sixth of *August*;) so they have since subsisted by Supplies sent from the two Houses, whereof none were suffered to partake but such as take their new Covenant, and doubly break the bonds of their Obedience and Duty, both by taking that dangerous ensnaring Oath prohibited by God and their King, and opposing Our Ministers of State there, without whose Authority (a Cessation being concluded) during that Cessation they ought not to have continued a Warre in that Kingdom. We easily believe the

Provisions

Provisions they mention are or may be sent for supply of those Forces, as being a means to keep up a Party against Us there, and to have a Reserve of an Army ready upon any accidents of Warre to be drawn hither against Us; and being also necessary for the satisfaction of Our *Scotish* Subjects (whom they must please) who would not be so forward in their service without some good assurance (such as is the having an Army of theirs kept on foot in *Ireland* at the charge of this Kingdom, and two of Our strongest Towns and Castles there delivered to them Cautionary Towns, as We may believe *Berwick* also is (being denied the sight of that Treaty) and by the Command of all the *English* Forces there by the General of the *Scots*) that they shall be well pay'd the Arrears to the Armies in both Kingdoms before they quit their Interest in *Ireland*. If We shall allow Provisions thus imployed to be for the preservation of the *English* Protestants in *Ireland*, We may believe they have repay'd the 100000 l. taken up of the Adventurers money; and yet thus to re-satisfie this money, admitting it be current satisfaction for the Debt, can be no satisfaction or excuse for the former Diversion.

But since they cannot excuse themselves for this Diversion of the Adventurers money, nor of the other moneys raised for *Ireland*, nor of the imploying the Forces raised for that Kingdom under the Command of the Lord *Wharton* against Us at *Edge-hill*, which they deny not; they fall to recriminate Us.

They say, *They have mentioned particulars of Provisions for Ireland*, (besides those few Cloaths taken near *Coventry*, which being formerly answered by Our Commissioners, they do not again urge) *asserted to be seised not without Our own knowledge and directions, as they were informed*. This they had formerly alleged, and Our Commissioners had answered (as We do now) that they have instanced no particulars at all of any such Provisions seised. And whereas they say, that *Our forbearance to seise some Provisions* (which Our Commissioners alleged in Our greatest Wants We forbore to take, though they lay in Magazines within Our own Quarters, but took order to send away into *Ireland*,) *was no excuse for seising others*; they misapply that to be an excuse, which was alleged as an evidence that We seised none, since We might in Our great Want have seised those, if We had been minded to have seised any.

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They say again, *the Service of that Kingdom was much prejudiced by denying the Lord Wharton's Commission, of which they have not received satisfaction.* To this it hath been already answered, that those Forces were raised for him before any Commission demanded from Us, and that the Commission for him proposed to Us was, to have been independent of the Lieutenant of that Kingdom; Causes (though not satisfactory to them yet) sufficient in themselves to justify Our refusal. But besides these, it is apparent the Army which was brought down against Us was then raising, that the Lord Wharton was one of the most active in it; and We had cause to be confident (nor did he fail Us therein) that what Forces he should raise for Ireland he would employ against Us in England: neither did that Service depend upon the Lord Wharton, other able Officers were appointed over those Forces, whom (if they had as much affected that Service as the Person of the Lord Wharton) they might have trusted with the Transport of them to Ireland, where others of more Experience and fitter for Conduct than the Lord Wharton might have taken the charge of them. They say further, That it was one end for which the Cessation was made, that the Forces might be brought hither to Us out of Ireland, and employed against the two Houses. The bleeding Necessities of the poor English there (which have been mentioned, and whereof they cannot but be convinced) will best speak the cause of that Cessation; and the sight of those Souldiers half starved when they came over, having neither Cloaths to their Backs nor so much as Shoes to their Feet, nor any Pay to provide either, will witness the necessity of bringing them over, when there was no subsistence for them in Ireland, nor use for them there during the Cessation. And for making use of them here, how can they quarrel at Our employing Our own English Souldiers, who should otherwise have disbanded, when they make use of an Army of Scots against Us?

They have been told that they brought over out of Ireland the Earl of Leven, their General, and divers Scottish Officers, (which they deny not;) and that before the English Forces brought over, they attempted the bringing once the Scottish Forces in Ireland, as likewise divers English Officers there, into this Kingdom: to which all the Answer given is, *that the Scottish Forces which came over were*

not

not sent for. Which as it denies not what is objected, so neither can it excuse their not sending them back to the service of *Ireland*, and imploying them here in an unnatural Rebellion against Us.

But whatsoever their own acts or failings have been in this business of *Ireland*, and though apparently the Necessities which caused the Cessation were occasioned by the two Houses, yet rather then they shall be guilty of the blame and neglect therein, Our People must be made to believe that either there were no such Necessities, or when that is so apparent, then that those Necessities were designed and contrived by a Popish and Prelatical party prevalent with Us, and the Supplies denied and stopped by Our self, and so that it is reasonable for them to press and insist (as they do with much fervour in their last Paper concerning *Ireland*) upon their Demands for the settling of the prosecution of the Warre in themselves or the Scots, excluding Us, and that there shall be no further Cessation or Peace made there, (though the Warre should continue here;) to have the nomination of the Lieutenant and all the great Officers there; and to have Us bound up to assent to whatsoever Acts they shall propose for Moneys or other necessities for the prosecution of that Warre: and if We agree not to these Propositions, We are like to be charged *with countenancing of that bloody Rebellion.*

And therefore, though the unreasonableness of those Propositions hath been fully lay'd open by Our Commissioners in their Paper, yet because this of theirs is framed in Answer to those, and the fervency and fluencie of their expressions may make impressions on those who do not warily weigh the matter, We shall examine what new inforcements they bring to make good those Demands.

The prosecution of the Warre there, though it be demanded (generally) in the 13. Proposition to be settled in both the Houses of the Parliament of *England*, to be managed by the joynt Advice of both Kingdoms; yet according to their 17. Proposition it is to be ordered according to the Ordinance of the 11. of April 1644. which is also proposed to be enacted. By that Ordinance the Scottish General Leven is to command all the Forces in *Ireland*, both *English* and *Scottish*, and that Warre is to be managed by a joynt Committee, to be named

med by the two Houses of *England* and the Estates of the Parliament of *Scotland*; and the Committees of each Kingdom is to have a Negative voice. They insisting to have the prosecution of the Warre thus settled, Our Commissioners answered, *That this was in effect to deliver the Kingdom of Ireland into the hands of Our Subjects of Scotland, and neither agreeable to the rules of Honour or Prudence.* That it was unreasonable, if the Warre continued here, that We by Our consent to Act of Parliament for the managing of that Warre, and raising Moneys for that purpose, should put so great Power into their hands who during these Troubles may turn that Power against Us. And lastly, that if the Distractions continued here, the Forces and Wealth of this Kingdom would be so imployed at home, that the prosecution of that Warre to the subduing of the Rebels was impossible, but probably might be destruction of the remainder of Our good Subjects.

For the Power given to Our *Scotish* Subjects in that Kingdom, Our Commissioners urged, that General *Leven* being to Command all the Forces in *Ireland*, and the Committee of *Scotland* having a Negative voice, upon difference of opinion that Warre must either stand still to the Ruine of Our Subjects there, or be carried as the Earl of *Leven* pleased, whose Power was not bounded by any reference to Us or Our Lieutenant of *Ireland*, no nor to the Houses of *England*. And though it had been answered, that in cases of disagreement betwixt the Committee, the two Houses might prosecute the Warre, observing the Treaty of the sixth of *August*, and the Ordinance of the 11. of *April*; yet by referring to that Ordinance, (which is desired to be Enacted) and by that Ordinance the Power being thereby put into the Earl of *Leven* and that Committee without mention of the two Houses, it was apparent the Earl of *Leven* would not be bound to observe the Directions of the Houses of *England* by themselves.

But they Reply in this last Paper of theirs, *That as the Ordinance of the 11. of April 1644. so the Treaty of the 6. of August 1642. is desired to be confirmed, by which the Commander of the Scotish Forces in Ireland was to be answerable to Us and the two Houses of the Parliament of England for his whole deportment.* But this is apparently no Answer at all: for this Treaty of the 6. of *August* binds not the Committee

mittee who are to manage that Warre, and relates to the *Scotish* General as General of the *Scots* only; the other of *April* 1644. being later in time, giving him power also as Commander in chief over the *English* Forces in *Ireland*; and according to this later he is to receive his Orders from the Committee, without reference to Us or the two Houses, neither can the two Houses be hereby brought in to have Command over this *Scotish* General or Committee more then Our selves, whom they intend wholly to exclude. Yet We cannot but observe even upon these Articles of the Treaty of the sixth of *August*, how little cause there is to expect this *Scotish* General will manage that Warre for the good of this Kingdom, who being by those Articles to be answerable to Us as well as to the two Houses (for then though the same Design was on foot, yet their outward pretences were somewhat more modest then now they are) did without directions from Us leave his Charge in *Ireland*, to bring an Army into *England* against Us. Well, they say at last, they had (by the 13. Proposition) desired the prosecution of the Warre to be settled in the two Houses, and so taking all together, that the Earl of *Leven* cannot manage that Warre according to his own discretion: But We must remember them, the Proposition is not barely to settle the prosecution of the Warre in the two Houses, but to settle it in the two Houses to be managed by the joynt Advice of both Kingdoms, and that joynt Advice is by a joynt Committee, according to the Ordinance of the 11. of *April*, in which Committee they confess those of *Scotland* have a Negative voice, and by the last part of the 17. Proposition, the Warre of *Ireland* is to be ordered according to that Ordinance.

But they say, The *Scotish* Commander is to receive Orders from the Lieutenant of *Ireland*, if a Lord Lieutenant shall be chosen by the two Houses (for a Lieutenant nominated by Us is not allowed by them to give Orders to the *Scotish* General.) This indeed (though not warranted by their Propositions, upon which nevertheless they insist) yet being admitted in this latitude might seem to give some Power to the two Houses over the *Scotch* General in the manage of the Warre, as giving the Lieutenant such a Power, and by consequence the two Houses, who have power over this Lieutenant. But they say not generally, that he shall receive Instructions from the
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Lieutenant, but that he shall receive Instructions from the Lieutenant in such manner as they have set down in their Paper of the 20. of February, that is, when it shall be necessary for the good of that Service that he and the Commander in chief of the Scottish Army joyn: but how shall it be for the Service that he joyn with him, when he shall command no Forces with which he may joyn, the Scotch General being by the Ordinance of the 11. of April to command all the Forces whatsoever in Ireland? But admit them to have joyned; then the Scotch General is to receive Instructions from the Lieutenant, according to the Orders which shall be given by the Commissioners of both Kingdoms, so, and no otherwise. Still the case is the same: The Scottish General is not bound to obey any Orders but such as shall come mediately or immediately from the Committee of both Kingdoms. And (whatsoever evasions and disguises are made to cover it from Our Peoples Eyes) the Scottish Committee being an equal number, and having an equal share in the Counsels, and their General having the Command of all the Forces; it is apparent, the whole Power over that Kingdom is in effect to be transferred to them.

But should We admit that these Propositions did not give so great power in Ireland to Our Subjects of Scotland, yet how should it be imagined that We should put the prosecution of this Warre in the two Houses in such manner as is insisted on by them, so long as they maintain a Rebellion against Us in this Kingdom? It is not denied but by their Authority divers Forces raised, and the Moneys levied for Ireland, were employed against Us in England; and upon the same pretences that they made use of those aides (because (as they allege in their Declaration upon that Subject) that the subsistence of Ireland depended upon their welfare here) they may still make use of such Power as shall be given them for the manage of that Warre and raising Moneys for that purpose, against Us in England. Neither if a Peace should be concluded here, could We assent that the prosecution of the Warre should be settled in the two Houses, excluding Our selves, as they intend it by those words, *the King not to molest them therein.* Queen Elizabeth managed the Warre in Ireland solely, when the two Houses were sitting, and excluded them. Though We insist not upon that Example, We should be wanting to the Trust We have received from God, and that care
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of Our Subjects which lies upon Us (and of which We are to give Him an account) to exclude Our self. They themselves know, great Bodies are not so fit to carry on the Warre as a few ; and therefore they have in a manner given up their power in this unhappy Warre at home to their State-Committee, whose Resolutions are rather brought to them for Countenance and Execution, then for Debate and Deliberation.

They tell us, *The Parliament of England is a faithfull Councell to Us, and that We have trusted them with the prosecution of that Warre, and they faithfully discharged their parts in it.* We wish, though We are willing to be silent in it, that yet the Ruines and Desolations of this Kingdom would not speak to Posterity what Counsellors those are who have deusted Us of Our Revenue, Arms, Ships, Power, and even the security of Our Person, who have Armed Our Subjects here, who have brought in the Scots into this Kingdom, to the tearing up the bowels of it, who have infamously libelled against Us and Our Consort, who have threatned to depose Us, and impeached Her of Treason; and who those are who have denied Peace to this miserable Kingdom, unless We would consent to their unreasonable destructive Propositions, overturning the whole frame of Government both in Church and State. They say, and it is true, *We trusted them with the Prosecution of that Warre:* and how faithfully they discharged it, We will not again repeat: but We never trusted them so as to exclude Our selves, as they now suppose; and if We had relied more on the Judgements and Advice of Our Privy Councell, and less on theirs, neither that nor this Kingdom had been in the condition they now are. It was their interposition and Advice which hindered the transportation of the Army of *Irish* Natives out of that Kingdom into *Spain* (even to Our dis-reputation abroad, who had agreed with the *Spanish* Ambassadour to send them over, and he, in confidence of Our performance, had disbursed money for their transport :) and had they been transported (their stay as it provoked them, so it emboldening and strengthening the other *Irish*) We are confident the flames of that Rebellion would never have broken forth at all, or at most have been so small as might suddenly have been extinguished. It was their Advice that staid Our going over thither in Person, which probably might have stopped

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the rage of that Warre, and, by the Blessing of God, would have saved the effusion of much blood which was since shed in that Kingdom. It was their unseasonable Declarations at the beginning of the Rebellion (before the old *English* and other Papists had engaged themselves with the Rebels of *Ulster*) of making it a Warre of Religion, and against that connivence which had been used in that Kingdom ever since the Reformation, and tending to make it a National Quarrel, and to eradicate the whole stock of the *Irish* (which they now pursue by giving no Quarter to those few of that Nation in *England* who never were in that Rebellion, but according to their Duty assist Us their Sovereign) which made the Rebellion so general; whereas otherwise the old *English*, as in former times (though Papists) would have joyned against those Rebels. When We had offered in *December* 1641. that 10000 Volunteers should be raised presently in *England* for the service of *Ireland*, if the House of Commons would declare they would pay them; in stead thereof, in *January* following Propositions were made for the transporting the Scots into *Ireland*, and We were advised by the two Houses, to give the Command and keeping of the Town and Castle of *Carickfergus* to the *Scotish*, who were to be transported thither, and pay'd by this Kingdom: to which We returned Answer, That we did not approve the same, as prejudicial to the Crown of *England* and the Service intended, and implying too great trust for auxiliary Forces; yet afterwards, because We perceived the insisting upon it would breed a great delay in the necessary supply of that Kingdom, We did admit of the Advice of the Parliament in that particular, (and since, by the Articles of the sixth of *August* 1642. (which though said to be made by Commissioners authorized by Us and the Parliament of *England*, We never were made acquainted with them, till upon this Treaty almost three years after) both the Towns and Castles of *Carickfergus* and *Colrane* are left with them as Cautionary.) The consequence whereof was such, that though the Service of *Ireland* was little advanced, or the poor *English* Protestants relieved by it, and this Kingdom drained to pay those (whose great arrears growing upon that Agreement must be pay'd out of Lands in *Ireland* where they have so good footing already, or of Our good Subjects

Subjects in *England*, according to their other Propositions) by this means the *Scotish* having an Army there, under colour of supplying them, Our Arms and Ammunition were sent into *Scotland* for the supply of another Army to be brought into *England*; and the countenance of that Army in *Ireland*, as it gave encouragement to some of Our *Scotish* Subjects, so it over-awed others, and was a means, without any the least provocation to those Our ungratefull Subjects, of bringing of another Army into this Kingdom, where they still remain, to the utter Ruine of many of Our good Subjects, and the probable Destruction of the whole Kingdome. And lastly, it was upon their Advice in *February* 1641. (shortly after those Propositions tendred for transporting the Scots into *Ireland*) that We agreed, that the Rebels Lands should be shared amongst the Adventurers, and the Rebels to have no Pardons; though We then expressly declared, *We did it merely relying upon their Wisdome, without further examining, (what We in Our particular Judgement were perswaded) whether that course might not retard the reducing of that Kingdom, by exasperating the Rebels, and rendring them desperate of being received into grace if they should return to their Obedience.* And it is most apparent that those Propositions, and the Act drawn upon them, wherein also a further Clause (not observed by Us, but passed, as conceiving that Act had wholly pursued the Propositions) was inserted, *That every person who should make, enter into, or take any Compact, Bond, Covenant, Oath, Promise or Agreement, to introduce or bring into the said Realm of Ireland the Authority of the See of Rome in any case whatsoever, or to maintain or defend the same, should forfeit his Lands and Goods, (as in case of Rebellion)* were great causes not onely of provoking, but increasing and encouraging the Rebels; who having no pretence before for that horrid Rebellion, had now some colour to make it a matter of Religion, and so to make their application to Forein Princes, and to negotiate with them for delivering that Kingdom into their hands. We profess Our aversion from their Religion and hatred to their Rebellion: but though We think them worse Christians because they are Rebels, We think them not worse Rebels because they are Papists: A Protestant Rebel in the same degree of Rebel-

lion hath farre more to answer, as having more light, and it being more expressly against the Religion he professeth, whereof it hath heretofore been a Maxime (though it be now taken for Apocryphal doctrine) *Not to take up Arms against their Prince upon any pretence whatsoever.* And as We have endeavoured by Our Personal example and otherwise, so We shall still continue by all good means to propagate the Protestant Religion: but We are farre from that *Mahumetane* Doctrine, that We ought to propagate Our Religion by the Sword. And though We shall be most willing to hearken to the Advice of Our People assembled in a free Parliament; yet We should be wanting to the Trust that God hath reposed in Us, and Our use of that Reason with which He hath endowed Us, if We should wholly give up that Kingdom to be managed solely by their Counsels, secluding Our selves from all Interest therein, especially when We consider that which Experience hath taught Us, if they have the sole Power of that Warre (by which all the Souldiers and Commanders being to be nominated and pay'd, removed and advanced by them, the necessary application (passing by Us) must be made to such as are powerfull with them) how easie a matter it will be for a prevalent Faction (if they shall have a minde to demand other things hereafter not fit to be granted) again to bring over an Army raised and payed by them into this Kingdom, especially so much composed of Our *Scotish* Subjects. And whereas they desire further *the nomination of the Lord Lieutenant and other great Officers and Judges in that Kingdome,* (which they also desire in this of *England*) they cannot but know, that it must of necessity take away all dependency upon Us and application to Us, when the power to reward those who are worthy of publick Trust shall be transferred to others, and having neither force left Us to punish nor power to reward, We shall be in effect a titular contemptible Prince. We shall leave all Our Ministers to the known Laws of the Land, to be tried and punished according to those Laws if they shall offend; but We cannot consent to put so great a Trust and Power out of Us: and We have just cause to conceive, that notwithstanding all their specious pretences, this desire of nomination of those great Officers is but a cloke to cover the Ambition of those who having been the

the Bouteuseus of this Rebellion, desire to advance themselves and their own Faction. And to that which is said, that Our *bad choice of Our Lieutenants of Ireland was the loss of many thousand Lives there, and almost of the whole Kingdom from Our Obedience*: they cannot but witness who know that Kingdom, that during the Government there by Lieutenants of Our Choice, that Kingdom enjoyed more Plenty and Peace then it ever had since it was under subjection to the Crown of *England*; Traffick by Sea and Trade by Land encreased, values of Land improved, Shipping multiplied beyond belief; never was the Protestant Religion more advanced, nor the Protestant protected in greater security against the Papists. And We must remember them, that that Rebellion was begun when there was no Lieutenant there, and when the Power and Government which had been formerly used in that Kingdom was questioned and disgraced, when those in the Parliament there by whom that Rebellion was hatched were countenanced in their complaints and prosecution.

But they are not content to demand all the Power over *Ireland*, and the nomination of all Officers, but We must also engage Our self to *pass such Acts as shall be presented to Us for raising of Moneys and other necessaries for that Warre*. Our former readiness to pass Acts for *Ireland*, because they were advised by the two Houses, (when they were apparently prejudicial to Our self, and contrary to Our own Judgement) might sufficiently satisfy them We would make no difficulty to consent to such Acts as should be for the good of that Kingdom: but they have been already told it was unreasonable to make a general engagement, before We saw the Acts whether reasonable or no, and whether *those other necessaries may not in truth comprehend what is not onely unnecessary, but very inconvenient*. But the People, they say, *who have trusted them with their Purse, will never begrudge what they make them lay out upon that occasion*. The two Houses indeed were entrusted that Our Subjects should not be charged without them, but they never were solely trusted by Our Subjects with a power to charge them; the care that no pressure in that or any other kinde should be upon Our Subjects is principally in Us, without whose Consent (notwithstanding the late contrary and unexampled practice) no such Charge can or ought to be levied, and We ought not to give that Consent but where it is visibly for the good of Our

Kingdoms; which upon such an unbounded power of raising Moneys may fall out otherwise, especially in so unusual a case as this, where those who must have the sole manage of the Warre shall have the sole command of the Purse, without any check or controll upon them. But they say again, *We have heretofore been possessed against the Parliament, for not giving away the Money of the Subject when We had desired it, but never yet did We restrain them from it.* It is true, We had no great cause heretofore to restrain the two Houses from giving the Subjects Money to Us, having found more difficulty to obtain from them three or four Subsidies, then they have met with in raising so many Millions. But Our People cannot think themselves well dealt with by Us, if We shall consent to put an unlimited power of raising what Moneys they please in those Persons who have drained more wealth from them in four years, then We believe all the Supplies given to the Crown in 400 years before have amounted unto.

In the last place, We wish every man to consider how the Rebels in *Ireland* can be reduced by War, whilst these unhappy Distractions continue here, whilst contrary Forces and Armies are raised in most parts of this Kingdom, and the blood of Our People is spilt like water upon the ground, whilst the Kingdom is wasted by Soldiers and the People exhausted by maintaining them, and (as if this Kingdom were not sufficient to destroy it self) whilst an Army of Scots is brought into the bowels of this Kingdom, and maintained at the charge of it; whilst this Kingdom labours under such a War, how is it possible that a considerable supply of men or money can be sent into *Ireland*?

To this with much fervour of expression they say, *It must not depend upon the condition of Our other Kingdoms to revenge God's Quarrell upon such perfidious Enemies to the Gospel of Christ, who have embrewed their hands in so much Protestant blood; that the Cessation is for their advantage, Arms and Ammunition and all manner of Commodities may be brought to them; that it is not fit there be any agreement of Peace or respite from Hostility with such creatures as are not fit to live, more then with Wolves or Tigers, or any ravenous Beasts, destroyers of mankind.*

We are most sensible of the blood and horror of that Rebellion, and would be glad that either a Peace in this Kingdom or any
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other Expedient might furnish Us with means and power to doe Justice upon it. If this cannot be, We must not desperately expose Our good Subjects to their Butchery without means or possibility of protection. God will in His due time revenge His Own Quarrell: in the mean time His Gospel gives Us leave in case of War to sit down, and cast up the cost, and estimate Our power to goe through with it; and in such case where prudence adviseth, it is lawfull to propose conditions of Peace, though the Warre otherwise might justly be pursued. And surely, as a Cessation in *Ireland* may be some advantage to the Rebels, as all Cessations in their nature are to both parts, they having thereby time and liberty to procure Arms and Ammunition to be brought to them: so it is not only for the advantage, but necessary preservation of Our good Subjects there, whose bleeding Dangers call for Our bowels of Charity and Compassion, by suspending the rage of the Adversary by this Cessation, till means may be found to turn their hearts, or to disable their Malice from pursuing their Cruelty, to the utter Ruine of that Remainder of Our good Subjects there; it being more acceptable to God and man to preserve a few good men from destruction, then to destroy a multitude, though in the way of Justice: and perhaps a Cessation may bring some of those Rebels to reflect upon their Offences, and to return to their Duty: all are not in the same degree of guilt, all were not authors of nor consenting to the Cruelties committed; some were inforced to comply with, or not resist their proceedings; some were seduced upon a belief the Nation was designed to be eradicated, and the Warre not against the Rebellion only, but their Religion. The Warre destroyes all alike without distinction, (even innocent Children have suffered, not by the Rebels only) and all are not Tigers or Wolves: there may be grounds of Mercy to some, though no severity be excessive towards others. However, We cannot desire the destruction even of the worst of those *Irish* Rebels, so much as We do the preservation of the poor *English* remaining there; but should make choice rather to save the Rebels for preserving the lives of those poor Protestants, then destroy them to ruine the Rebels. And therefore exceeding strange it is to Us, and We are sorry to finde, that any *English*-men (who have seen this their Native Country heretofore

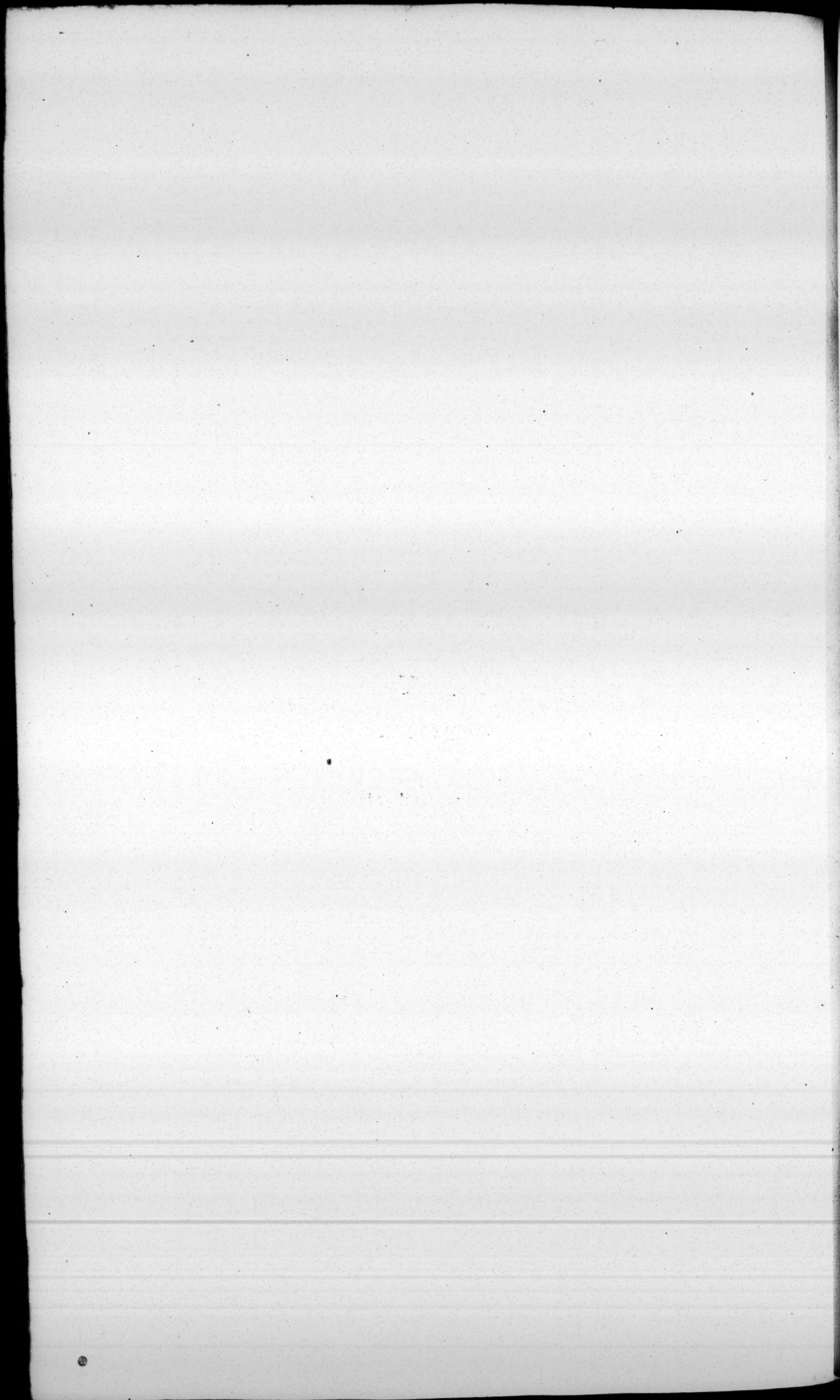
(even in Our time) flourishing beyond most of the Kingdoms and Churches in the world, and now most hideous and deformed, weltring in the blood of her own Children, and, if this Warre continue, like to be a perpetual spectacle of Desolation,) should express, that *they desire Warre in Ireland as much as they do Peace here*, no more valuing the sparing of *English* blood here then they do the effusion of the blood of the Rebels in *Ireland*. They say, indeed, *they are willing to lay out their Estates and Lives both for the Warre in Ireland and Peace in this Kingdom*; but withall they say, *they have made Propositions for both, if Our Commissioners would agree to them*. These are the Conditions they offer, neither Peace is to be had here without agreeing to their Propositions, nor that Warre in *Ireland* to be managed but according to those Propositions, such Propositions as apparently tend to the Ruine of the Church, to the subversion of all Our Power, to the setting up a new frame of popular Government, to the destruction of Our Loyal and true-hearted Subjects; Propositions which associate Our Subjects of *Scotland* in their Counsels and Power, and invest them in a great share of the Government and Wealth of this Kingdom, and render both the Wealth and Power of *Ireland* to be at their command. These Propositions they insist upon, and for the obtaining these they are resolved to engage *the Lives and Estates* of Our poor People in this unnatural Rebellion. But We trust God Almighty will open the Eyes and the Hearts of Our People, not to assist them any longer against Us in the shedding innocent blood in this Warre. And We cast Our selves on Him, waiting His good time for the restoring the Peace of Our Kingdoms, and Our deliverance from these Troubles, which at length We are assured He will give unto Us.

MESSAGES

MESSAGES,
PROPOSITIONS,
AND TREATIES FOR PEACE:

WITH DIVERS
RESOLUTIONS
AND
DECLARATIONS
THEREUPON.

MDCXLV. VI. VII. VIII.]



*His MAJESTIES Message to both Houses, from Oxford,
Decemb. 5. 1645.*

For the Speaker of the House of Peers *pro tempore*.

CHARLES R.

HIS Majesty being deeply sensible of the continuation of this bloody and unnatural Warre, cannot think Himself discharged of the Duty He owes to God, or the Affection and regard He hath to the preservation of His People, without the constant application of His earnest Endeavours to finde some Expedient for the speedy ending of these unhappy Distractions, if that may be; doth therefore desire, That a safe Conduct may be forthwith sent for the Duke of Richmond, the Earl of Southampton, John Ashburnham and Jeffrey Palmer Esquires, and their Attendants, with Coaches, Horses, and other Accommodations for their Journey to Westminster, during their stay there, and return when they shall think fit; whom His Majesty intends to send to the Lords and Commons assembled in the Parliament of England at Westminster, and the Commissioners of the Parliament of Scotland, furnished with such Propositions as His Majesty is confident will be the foundation of a happy and well-grounded Peace.

Given at the Court at Oxford, the fifth of December, 1645.

The Letter of the two Speakers.

For Sir Thomas Glemham Governour of Oxford.

Sir,
WE have received your Letter of the 5. of this instant *December*, with His Majesties inclosed, and have sent back your Trumpet by command of both Houses, who will with all convenient speed return an Answer to His Majesty, and rest,

Your Loving Friends,

Grey of Wark, Speaker of the House
of Peers *pro tempore*.

William Lenthall, Speaker of the
House of Commons.

His

*His MAJESTIES Message to both Houses in pursuance of
the former.*

From Oxford, Dec. 15. 1645.

For the Speaker of the House of Peers *pro tempore*.

CHARLES R.

HIS Majesty cannot but extremely wonder, that after so many expressions on your part of a deep and seeming sense of the Miseries of this afflicted Kingdom, and of the Dangers incident to His Person during the continuance of this unnatural Warre, your many great and so often repeated Protestations, that the raising of these Armes hath been only for the necessary defence of God's true Religion, His Majesties Honour, Safety and Prosperity, the Peace, Comfort and Security of His People, you should delay a safe Conduct to the Persons mentioned in His Majesties Message of the fifth of this instant *December*, which are to be sent unto you with Propositions for a well-grounded Peace: a thing so farre from having been at any time denied by His Majesty, whenever you have desired the same, that He believes it hath been seldom (if ever) practised among the most avowed and professed Enemies, much less from Subjects to their King. But His Majesty is resolved that no Discouragements whatsoever shall make Him fail of His part in doing His uttermost endeavours to put an end to these Calamities, which, if not in time prevented, must prove the Ruine of this unhappy Nation; and therefore doth once again desire, that a safe Conduct may be forthwith sent for those Persons expressed in His former Message: and doth therefore conjure you, as you will answer to Almighty God in that Day when He shall make inquisition for all the Blood that hath and may yet be spilt in this unnatural Warre, as you tender the preservation and establishment of the true Religion, by all the Bonds of Duty and Allegiance to your King, or Compassion to your bleeding and unhappy Country, and of Charity to your selves, that you dispose your hearts to a true sense, and imploy all your faculties in a more serious Endeavour together with His Majesty, to set a speedy end to these

these waisting Divisions; and then He shall not doubt but that God will yet again give the Blessing of Peace to this distracted Kingdom.

Given at the Court at *Oxford*, the fifteenth of *December*, 1645.

*His MAJESTIES Message to both Houses, with
Propositions.*

From Oxford, Dec. 26. 1645.

For the Speaker of the House of Peers *pro tempore*, to be communicated to the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of *Scotland*.

CHARLES R.

Notwithstanding the strange and unexpected Delays (which can be preceded by no former times) to His Majesties two former Messages, His Majesty will lay aside all Expostulations, as rather serving to lose time, then to contribute any remedy to the evils which (for the present) do afflict this distracted Kingdom: Therefore, without further Preamble, His Majesty thinks it most necessary to send these Propositions this way, which He intended to do by the Persons mentioned in His former Messages; though He well knows the great disadvantage which Overtures of this kind have, by the want of being accompanied by well-instructed Messengers.

His Majesty conceiving that the former Treaties have hitherto proved ineffectual, chiefly for want of Power in those Persons that Treated, as likewise because those from whom their Power was derived (not possibly having the particular informations of every several Debate) could not give so clear a Judgment as was requisite to so important a business; if therefore His Majesty may have the engagement of the two Houses at *Westminster*, the Commissioners of the Parliament of *Scotland*, the Maior, Aldermen, Common-Council and Militia of *London*, of the chief Commanders in Sir *Thomas Fairfax's* Army, as also of those in the Scots Army, for His Majesties free and safe coming to and abode in *London* or *Westminster*

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578 *His MAJESTIES Message to both Houses, Dec. 26. 1645.*

(with such of His Servants now attending Him, and their Followers, not exceeding in all the number of 300.) for the space of forty days, and after the said time for His free and safe repair to any of His Garrisons of *Oxford*, *Worcester* or *Newark*, (which His Majesty shall nominate at any time before His going from *London* or *Westminster*) His Majesty propounds to have a Personal Treaty with the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of *Scotland*, upon all matters which may conduce to the restoring of Peace and Happiness to these miserably-distracted Kingdoms; and to begin with the three Heads which were Treated on at *Uxbridge*. And for the better clearing of His Majesties earnest and sincere intentions of putting an end to these unnatural Distractions, (knowing that point of security may prove the greatest obstacle to this most blessed Work) His Majesty therefore declares, That He is willing to commit the great Trust of the *Militia* of this Kingdom, for such Time and with such Powers as are exprest in the Paper delivered by His Majesties Commissioners at *Uxbridge* the sixth of *February* last, to these Persons following, viz. the Lord Privy-Seal, the Duke of *Richmond*, the Marquess of *Hartford*, the Marquess of *Dorchester*, the Earl of *Dorset* Lord Chamberlain, the Earl of *Northumberland*, the Earl of *Essex*, Earl of *Southampton*, Earl of *Pembroke*, Earl of *Salisbury*, Earl of *Manchester*, Earl of *Warwick*, Earl of *Denbigh*, Earl of *Chichester*, Lord *Say*, Lord *Seymour*, Lord *Lucas*, Lord *Lexington*, M. *Denzill Hollis*, M. *Pierrepont*, M. *Henry Bellasis*, M. *Richard Spencer*, Sir *Thomas Fairfax*, M. *John Ashburnham*, Sir *Gervase Clifton*, Sir *Henry Vane junior*, M. *Robert Wallop*, M. *Thomas Chichely*, M. *Oliver Cromwell*, M. *Philip Skippon*; supposing that these are Persons against whom there can be no just exception. But if this doth not satisfie, then His Majesty offers to name the one half, and leave the other to the election of the two Houses of Parliament at *Westminster*, with the Powers and Limitations before mentioned.

Thus His Majesty calls God and the World to witness of His sincere Intentions and reall Endeavours for the composing and settling of these miserable Distractions, which He doubts not but, by the Blessing of God, will soon be put to a happy Conclusion, if this His Majesties offer be accepted; otherwise He leaves all the World

to judge who are the continuers of this unnatural Warre. And therefore He once more conjures you by all the bonds of Duty you owe to God and your King, to have so great a Compassion on the bleeding and miserable estate of your Countrey, that you joyn your most serious and hearty endeavours with His Majesty, to put a happy and speedy end to these present Miseries.

Given at the Court at *Oxford*, the 26. of *December*, 1645.

The Answer of both Houses to His MAJESTIES two former Messages of the 5. and 15. of Decemb. brought by Sir Peter Killegrew, Dec. 27.

May it please your Majesty,

THE Lords and Commons assembled in the Parliament of *England* at *Westminster* have received Your Letters of the fifth and fifteenth of this instant *December*, and having, together with the Commissioners of the Parliament of *Scotland*, taken the same into their serious consideration, do humbly return this Answer.

They have in all their Actions manifested to Your Majesty and the World their sincere and earnest desires, that a safe and well-grounded Peace might be settled in Your three Kingdoms; and for the obtaining so great a Blessing shall ever pray to God, and use their utmost endeavours; and beseech Your Majesty to believe, that their not sending a more speedy Answer hath not proceeded from any intention to retard the means of putting an end to these present Calamities by a happy Peace, but hath been occasioned by the Considerations and Debates necessary in a business of so great importance, wherein both Kingdoms are so much concerned.

As to Your Majesties desire of a safe Conduct for the coming hither of the Duke of *Richmond*, the Earl of *Southampton*, *John Ashburnham* and *Jeffrey Palmer* Esquires, with Propositions to be the foundation of a happy and well-grounded Peace; they finding that former Treaties have been made use of for other Ends, under the pretence of Peace, and have proved dilatory and unsuccessful, cannot give way to a safe Conduct according to Your Majesties desire: But both Houses of the Parliament of *England* having now under their Consideration Propositions and Bills for the settling of a safe and well-grounded Peace, which are speedily to be communicated to the Commissioners of the Kingdom of *Scotland*, do resolve, after mutual agreement of both Kingdoms, to present them with all speed to Your Majesty.

Westminster the 25.
Decemb. 1645.

Grey of Wark, Speaker of the House
of Peers *pro tempore*.
William Lenthall, Speaker of the
House of Commons.

*His MAJESTIES Gracious Answer to both Houses, sent
by Sir Peter Killegrew, Dec. 29.*

For the Speaker of the House of Peers *pro tempore*, to be communicated to the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of Scotland.

CHARLES R.

Although the Message sent by Sir *Peter Killegrew* may justly require an expostulatory Answer, yet His Majesty layes that aside, as not so proper for His present Endeavours; leaving all the World to judge, whether His Proposition for a Personal Treaty, or the flat denial of a safe Conduct for Persons to begin a Treaty, be greater signes of a real Intention to Peace; and shall now only insist upon His former Message of the 26. of this *December*, That upon His repair to *Westminster*, He doubts not but so to joyn His Endeavours with His two Houses of Parliament, as to give just satisfaction, not onely concerning the business of *Ireland*, but also for the settling of a way for the payment of the Publick Debts, as well to the *Scots* and the City of *London* as others. And as already He hath shewn a fair way for the settling of the *Militia*, so He shall carefully endeavour in all other particulars that none shall have cause to complain for want of Security, whereby just Jealousies may arise to hinder the continuance of the desired Peace. And certainly this Proposition of a Personal Treaty could never have entred into His Majesties Thoughts, if He had not resolv'd to make apparent to all the World, that the Publick good and Peace of this Kingdom is farre dearer to Him then the respect of any particular Interest. Wherefore none can oppose this Motion, without a manifest demonstration that he particularly envies His Majesty should be the chief Author in so blessed a Work, besides the declaring himself a direct opposer of the happy Peace of these Nations. To conclude, whosoever will not be ashamed that his fair and specious Protestations should be brought to a true and publick Test, and those who have a real sense, and do truly commiserate the Miseries of their bleeding Country, let them speedily and cheerfully embrace

His

His Majesties Proposition for His Personal Treaty at *Westminster*, which, by the blessing of God, will undoubtedly to these now distracted Kingdoms restore the Happiness of a long-wish'd-for and lasting Peace.

Given at the Court at *Oxford*, the 29. day of *December*, 1645.

*His MAJESTIES Message to both Houses,
from Oxford, Jan. 15. 1645.*

For the Speaker of the House of Peers *pro tempore*, to be communicated to the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of *Scotland*.

CHARLES R.

BUT that these are times wherein nothing is strange, it were a thing much to be marvelled at, what should cause this unparallel'd long detention of His Majesties Trumpet, sent with His Gracious Message of the 26. of *December* last; Peace being the onely subject of it, and His Majesties Personal Treaty the means proposed for it. And it were almost as great a wonder, that His Majesty should be so long from inquiring after it, if that the hourly expectation thereof had not in some measure satisfied His Impatience. But lest His Majesty by His long silence should condemn Himself of Carelessness in that which so much concerns the good of all His People, He thinks it high time to inquire after His said Trumpeter: For since all men who pretend any goodness must desire Peace, and that all men know Treaties to be the best and most Christian way to procure it, and there being as little question that His Majesties Personal Presence in it is the likeliest way to bring it to a happy Issue; He judges there must be some strange variety of accidents which causeth this most tedious Delay. Wherefore His Majesty earnestly desires to have a speedy Account of His former Message, the subject whereof is Peace, and the means His Personal Presence at *Westminster*, where, the Government of the Church being settled as it was in the times of the happy and glorious Reigns of Queen *Elizabeth* and King *James*, and

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full Liberty for the ease of their Consciences who will not communicate in that Service established by Law, and likewise for the free and publick use of the *Directory* (prescribed, and by Command of the two Houses of Parliament now practised in some parts of the City of *London*) to such as shall desire to use the same, and all Forces being agreed to be Disbanded, His Majesty will then forthwith (as He hath in His Message of the 29. of *December* last already offered) joyn with His two Houses of Parliament in settling some way for the payment of the publick Debts to His *Scots* Subjects, the City of *London* and others. And His Majesty having proposed a fair way for the settling of the *Militia*, which now by this long Delay seems not to be thought sufficient Security; His Majesty (to shew how really He will imploy Himself at His coming to *Westminster* for making this a lasting Peace, and taking away all Jealousies, how groundless soever) will endeavour, upon debate with His two Houses, so to dispose of it (as likewise of the business of *Ireland*) as may give to them and both Kingdoms just satisfaction; not doubting also but to give good contentment to His two Houses of Parliament in the choice of the Lord Admiral, the Officers of State and others, if His two Houses, by their ready inclinations to Peace, shall give Him encouragement thereunto.

Thus His Majesty having taken occasion by His just impatience so to explain His Intentions that no man can doubt of a happy issue to this succeeding Treaty; if now there shall be so much as a Delay of the same, He calls God and the World to witness who they are that not onely hinder, but reject this Kingdoms future Happiness: it being so much the stranger, that His Majesties coming to *Westminster* (which was first the greatest pretence for taking up Arms) should be so much as delayed, much less not accepted, or refused. But His Majesty hopes that God will no longer suffer the Malice of Wicked men to hinder the Peace of this too-much afflicted Kingdom.

Given at the Court at *Oxford*, the 15. of *January*, 1645.

*The Answer of both Houses to His MAJESTIES two former
Messages of the 26. and 29. of Dec.*

May it please your Majesty ;

W E your humble and loyal Subjects of both Kingdoms have received your Letters of the 26. and 29. of *December* last, unto which we humbly return this Answer :

That there hath been no Delay on our parts, but what was necessary in a business of so great a consequence, as is exprest in our former Letter to Your Majesty.

Concerning the Personal Treaty desired by Your Majesty, There having been so much innocent blood of Your good Subjects shed in this Warre by Your Majesties Commands and Commissions, *Irish* Rebels brought over into both Kingdoms, and endeavours to bring over more into both of them, as also Forces from Foreign parts; Your Majesty being in Arms in these parts, and the Prince in the head of an Army in the West, divers Towns made Garrisons and kept in Hostility by Your Majesty against the Parliament of *England*; there being also Forces in *Scotland* against that Parliament and Kingdom, by Your Majesties Commission; the Warre in *Ireland* fomented and prolonged by Your Majesty, whereby the three Kingdoms are brought near to utter Ruine and Destruction: we conceive, that until satisfaction and security be first given to both Your Kingdoms, Your Majesties coming hither cannot be convenient, nor by us assented unto; neither can we apprehend it a means conducing to Peace, that Your Majesty should come to Your Parliament for a few daies, with any thoughts of leaving it, especially with intentions of returning to Hostility against it. And we do observe, That Your Majesty desires the Ingagement not only of Your Parliaments, but of the Lord Maior, Aldermen, Common-Council and Militia of the City of *London*, the chief Commanders of Sir *Thomas Fairfax's* Army and those of the *Scots* Army, which is against the Privileges and Honour of the Parliaments, those being joyned with them who are subject & subordinate to their Authority.

That which Your Majesty (against the Freedom of the Parliaments) inforces in both Your Letters with many earnest expressions, as if in no other way then that propounded by Your Majesty the Peace of Your Kingdoms could be established, Your Majesty may please to remember, that in our last Letter we did declare that Propositions from both Kingdoms were speedily to be sent to Your Majesty, which we conceive to be the onely way for the attaining a happy and well-grounded Peace, and Your Majesties Assent unto those Propositions will be an effectual means for giving satisfaction and security to Your Kingdoms, will assure a firm Union between the two Kingdoms, (as much desired by each for other as for themselves) and settle Religion, and secure the Peace of the Kingdom of *Scotland*, whereof neither is so much as mentioned in Your Majesties Letter.

And in proceeding according to these just and necessary grounds for the putting an end to the bleeding Calamities of these Nations, Your Majesty may have the glory to be a Principal Instrument in so happy a Work, and we (however mis-interpreted) shall approve our selves to God and the World to be real and sincere in seeking a safe and well-grounded Peace.

Westminster, 13. Jan. 1645.

Grey of Wark, Speaker of the
House of Peers *pro tempore*.
William Lenthall, Speaker of
the House of Commons.

Signed in the Name and
by warrant of the Com-
missioners of the Parlia-
ment of *Scotland*.

Balmerino.

*His MAJESTIES Reply to the Answer of both Houses,
from Oxford, Jan. 17. 164⁵.*

For the Speaker of the House of Peers *pro tempore*, to be communicated to the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of Scotland.

CHARLES R.

HIS Majesty thinks not fit now to answer those Aspersions which are returned as arguments for His not admittance to *Westminster* for a Personal Treaty, because it would inforce a Style not suitable to His End, it being the Peace of these miserable Kingdoms: yet thus much He cannot but say to those who have sent Him this Answer, That if they had considered what they had done themselves in occasioning the shedding of so much innocent Blood, by withdrawing themselves from their Duty to Him in a time when He had granted so much to His Subjects, and in violating the known Laws of the Kingdom to draw an exorbitant Power to themselves over their fellow-Subjects, (to say no more, to doe as they have done) they could not have given such a false Character of His Majesties Actions. Wherefore His Majesty must now remember them, that having some hours before His receiving of their last Paper of the 13. of *Jan.* sent another Message to them of the fifteenth, wherein by divers particulars He enlargeth Himself to shew the reality of His endeavours for Peace by His desired Personal Treaty (which He still conceives to be the likeliest way to attain to that blessed End) He thinks fit by this Message to call for an Answer to that, and indeed to all the former: For certainly no rational man can think their last Paper can be any Answer to His former Demands, the scope of it being, that because there is a Warre, therefore there should be no Treaty for Peace. And is it possible to expect that the Propositions mentioned should be the grounds of a lasting Peace, when the Persons that send them will not endure to hear their own King speak? But whatever the success hath been of His Majesties former Messages, or how small soever His hopes are of a better, considering the
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high strain of those who deal with His Majesty, yet He will neither want Fatherly bowels to His Subjects in general, nor will He forget that God hath appointed Him for their King with whom He Treats. Wherefore He now demands a speedy Answer to His last and former Messages.

Given at Our Court at Oxon, this 17. of Jan. 1645.

*His MAJESTIES further Reply to the said Answer
of both Houses, Jan. 24.*

To the Speaker of the House of Peers *pro tempore*, to be communicated to the two Houses of Parliament at *Westminster*, and to the Commissioners of the Parliament of Scotland.

CHARLES R.

THE procuring Peace to these Kingdoms by Treaty is so much desired by His Majesty, that no unjust Aspersions whatsoever, or any other Discouragements, shall make Him desist from doing His endeavour therein, until He shall see it altogether impossible: and therefore hath thought fitting so farre onely to make Reply to that Paper or Answer which He hath received of the 13. of this instant Jan. as may take away those Objections which are made against His Majesties coming to *Westminster*, expecting still an Answer to His Messages of the 15. and 17. which He hopes by this time have begotten better thoughts and resolutions in the Members of both Houses.

And first therefore, Whereas in the said last Paper it is objected as an impediment to His Majesties Personal Treaty, that much innocent Blood hath been shed in this Warre by His Majesties Commissions, &c. He will not now dispute (it being apparent to all the World by whom this Blood hath been spilt) but rather presseth that there should be no more: and to that end onely He hath desired this Personal Treaty, as judging it the most immediate means to abolish so many horrid Confusions in all His Kingdoms. And it is no Argument, to say, That there shall be no such Personal Treaty, because there have been Warrs, it being a strong inducement to have such a Treaty to put an end to the Warre.

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Secondly, That there should be no such Personal Treaty, because some of His *Irish* Subjects have repaired to His Assistance in it, seems an Argument altogether as strange as the other; as always urging that there should be no Physick, because the party is sick. And in this particular it hath been often observed unto them, that those whom they call *Irish*, who have so expressed their Loyalty to their Sovereign, were indeed (for the most part) such *English* Protestants as had been formerly sent into *Ireland* by the two Houses, impossibilitated to stay there any longer by the neglect of those that sent them thither, who should there have better provided for them. And for any Foreign Forces, it is too apparent that *their* Armies have swarmed with them, when His Majesty hath had few or none.

And whereas, for a third impediment, it is alleged that the Prince is in the head of an Army in the West, and that there are divers Garrisons still kept in His Majesties Obedience, and that there are Forces in *Scotland*; it must be as much confessed, as that as yet there is no Peace: and therefore it is desired that by such a Personal Treaty all these impediments may be removed. And it is not here amiss to put them in minde, how long since His Majesty did press a disbanding of all Forces on both sides; the refusing whereof hath been the cause of this Objection.

And whereas exception is taken, that there is a time limited in the Proposition for His Majesties Personal Treaty, thereupon inferring that He should again return to Hostility; His Majesty protesteth that He seeks this Treaty to avoid future Hostility, and to procure a lasting Peace: and if He can meet with like inclinations to Peace in those He desires to Treat with, He will bring such affections and resolutions in Himself as shall end all these unhappy bloody Differences.

As for those Ingagements which His Majesty hath desired for His Security, whosoever shall call to minde the particular occasions that enforced His Majesty to leave His City of *London* and *Westminster*, will judge His Demand very reasonable and necessary for His Safety. But He no way conceiveth how the Lord Maior, Aldermen, Common-Council and *Militia* of *London*, were either subject or subordinate to that Authority which is alleged, as knowing
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neither Law nor practice for it : and if the two Armies be, He believes it is more then can be parallel'd by any former times in this Kingdom. Nor can His Majesty understand how His Majesties seeking of a Personal Security can be any breach of Privilege ; it being likely to be infringed by hindring His Majesty from coming freely to His two Houses.

As for the Objection, that His Majesty omitted to mention the settling Religion and securing the Peace of His Native Kingdom, His Majesty declares, that He conceives that it was included in His former, and hath been particularly mentioned in His latter Message of the 15. present. But, for their better satisfaction, He again expreſſeth, that it was and ever ſhall be both His meaning and endeavour in this Treaty desired. And it seems to Him very clear, that there is no way for a final ending of ſuch Diviſions as afflict this Kingdom, but either by Treaty or Conqueſt : the latter of which His Majesty hopes none will have the impudence or impiety to wiſh for ; and for the former, if His Personal aſſiſtance in it be not the moſt likely way, let any reaſonable man judge, when by that means not only all unneceſſary Delayes will be removed, but even the greateſt Difficulties made eaſy. And therefore He doth now again earneſtly inſiſt upon that Propoſition, expecting to have a better Answer upon mature conſideration. And can it be imagined that any Propoſitions will be ſo effectual being formed before a Personal Treaty, as ſuch as are framed and propounded upon a full debate on both ſides ? Wherefore His Majesty, Who is moſt concerned in the good of His People, and is moſt deſirous to reſtore Peace and Happineſs to His three Kingdoms, doth again inſtantly deſire an Answer to His ſaid former Messages, to which He hath hitherto received none.

Given at Our Court at *Oxon*, the 24. of *Jan*. 1645.

His

His MAJESTIES *Message to both Houses, from*
Oxford, Jan. 29. 1645.

For the Speaker of the House of Peers *pro tempore*, to be communicated to the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of *Scotland*.

CHARLES R.

HIS Majesty having received Information from the Lord Lieutenant and Council in *Ireland*, that the Earl of *Glamorgan* hath, without His or their Directions or privity, entred into a Treaty with some Commissioners on the *Roman-Catholick* Party there, and also drawn up and agreed unto certain Articles with the said Commissioners, highly derogatory to His Majesties Honour and Royall Dignity, and most prejudicial unto the Protestant Religion and Church there in *Ireland*; whereupon the said Earl of *Glamorgan* is arrested upon suspicion of High Treason, and imprisoned by the said Lord Lieutenant and Council, at the instance and by the Impeachment of the Lord *Digby*, who (by reason of his Place, and former Imployment in these Affairs) doth best know how contrary that Proceeding of the said Earl hath been to His Majesties Intentions and Directions, and what great prejudice it might bring to His Affairs, if those Proceedings of the Earl of *Glamorgan* should be any ways understood to have been done by the directions, liking, or approbation of His Majesty:

His Majesty having in His former Messages for a Personal Treaty offered to give contentment to His two Houses in the Business of *Ireland*, hath now thought fitting, the better to shew His clear Intentions, and to give satisfaction to His said Houses of Parliament, and the rest of His Subjects in all His Kingdoms, to send this Declaration to His said Houses, containing the whole truth of the business. Which is,

That the Earl of *Glamorgan* having made offer unto Him to raise Forces in the Kingdom of *Ireland*, and to conduct them into *England* for His Majesties Service, had a Commission to that purpose, and to that purpose onely.

That

That he had no Commission at all to Treat of any thing else without the privy and directions of the Lord Lieutenant, much less to capitulate any thing concerning Religion, or any Propriety belonging either to Church or Laity.

That it clearly appears by the Lord Lieutenant's Proceedings with the said Earl, that he had no notice at all of what the said Earl had Treated and pretended to have capitulated with the *Irish*, untill by accident it came to his knowledge.

And His Majesty doth protest, that untill such time as He had advertisement that the Person of the said Earl of *Glamorgan* was arrested and restrained, as is above-said, He never heard nor had any kind of notice that the said Earl had entred into any kind of Treaty or Capitulation with those *Irish* Commissioners; much less that he had concluded or signed those Articles, so destructive both to Church and State, and so repugnant to His Majesties publick Professions and known Resolutions.

And for the further vindication of His Majesties Honour and Integrity herein, He doth declare, That He is so farre from considering any thing contained in those Papers or Writings framed by the said Earl and those Commissioners with whom he Treated, as He doth absolutely disavow him therein, and hath given Commandment to the Lord Lieutenant and the Council there to proceed against the said Earl, as one who, either out of falseness, presumption or folly, hath so hazarded the blemishing of His Majesties Reputation with His good Subjects, and so impertinently framed those Articles of his own head, without the Consent, Privy or Directions of His Majesty, or the Lord Lieutenant, or any of His Majesties Council there. But true it is, that for the necessary preservation of His Majesties Protestant Subjects in *Ireland*, whose Case was daily represented unto Him to be so desperate, His Majesty had given Commission to the Lord Lieutenant to Treat and Conclude such a Peace there as might be for the safety of that Crown, the preservation of the Protestant Religion, and no way derogatory to His own Honour and publick Professions.

But to the end that His Majesties reall Intentions in this business of *Ireland* may be the more clearly understood, and to give more

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ample satisfaction to both Houses of Parliament and the Commissioners of the Parliament of *Scotland*, especially concerning His Majesties not being engaged in any Peace or Agreement there, He doth desire, if the two Houses shall admit of His Majesties repair to *London* for a Personal Treaty, (as was formerly proposed) that speedy notice be given thereof to His Majesty, and a Pass or safe Conduct, with a Blank, sent for a Messenger to be immediately dispatched into *Ireland*, to prevent any accident that may happen to hinder His Majesties Resolution of leaving the managing of the business of *Ireland* wholly to the two Houses, and to make no Peace there but with their Consent; which, in case it shall please God to bless His endeavours in the Treaty with success, His Majesty doth hereby engage Himself to doe.

And for a further explanation of His Majesties Intentions in His former Messages, He doth now Declare, That if His Personal repair to *London*, as aforesaid, shall be admitted, and a Peace thereon shall ensue, He will then leave the Nomination of the Persons to be entrusted with the *Militia* wholly to His two Houses, with such Power and Limitations as are expressed in the Paper delivered by His Majesties Commissioners at *Uxbridge* the 6. of *Febr.* 1644. for the term of seven years, as hath been desired, to begin immediately after the Conclusion of the Peace, the disbanding of all Forces on both sides, and the dismantling of the Garrisons erected since these present Troubles; so as at the expiration of the time before mentioned the Power of the *Militia* shall entirely revert and remain as before.

And for their further security, His Majesty (the Peace succeeding) will be content, that *pro hac vice* the two Houses shall nominate the Admiral, Officers of State and Judges, to hold their places during life, or *quamdiu se bene gesserint*, which shall be best liked, to be accomptable to none but the King and the two Houses of Parliament.

As for matter of Religion, His Majesty doth further Declare, That by the Liberty offered in His Message of the 15. present, for the ease of their Consciences who will not communicate in the Service already established by Act of Parliament in this Kingdom, He intends that all other Protestants, behaving themselves peaceably
in

His MAJESTIES Message to both Houses, Feb. 26. 1645. 591

in and towards the Civil Government, shall have the free exercise of their Religion according to their own way.

And for the total removing of all Fears and Jealousies, His Majesty is willing to agree, That upon the Conclusion of Peace there shall be a general Act of Oblivion and Free Pardon past by Acts of Parliament in both His Kingdoms respectively.

And lest it should be imagined that in the making these Propositions His Majesties Kingdom of *Scotland* and His Subjects there have been forgotten or neglected, His Majesty Declares, That what is here mentioned touching the *Militia*, and the naming of Officers of State and Judges, shall likewise extend to His Kingdom of *Scotland*.

And now His Majesty having so fully and clearly expressed His Intentions and Desires of making a happy and well-grounded Peace, if any person shall decline that Happiness by opposing so apparent a way of attaining it, he will sufficiently demonstrate to all the World, his intention and design can be no other then the total subversion and change of the ancient and happy Government of this Kingdom, under which the *English* Nation hath so long flourished.

Given at the Court at *Oxford*, the 29. of *January*, 1645.

*His MAJESTIES Message to both Houses, from
Oxford, Feb. 26. 1645.*

For the Speaker of the House of Peers *pro tempore*, to be communicated to the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of *Scotland*.

CHARLES R.

HIS Majesty needs to make no excuse though He sent no more Messages unto you, for He very well knows He ought not to doe it, if He either stood upon punctilioes of Honour or His own private Interest; the one being already call'd in question by His often sending, and the other assuredly prejudg'd,

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if a Peace be concluded from that He hath already offer'd, He having therein departed with many of His undoubted Rights. But nothing being equally dear unto Him to the preservation of His People, His Majesty passeth by many scruples, neglects and delays, and once more desires you to give Him a speedy Answer to His last Message: For His Majesty believes it doth very well become Him (after this very long Delay) at last to utter His Impatience, since that the Goods and Blood of His Subjects cries so much for Peace.

Given at the Court at *Oxford*, the 26. of *Febr.* 1645.

His MAJESTIES Message to both Houses, from Oxford,
March 23. 1645.

For the Speaker of the House of Peers *pro tempore*, to be communicated to the two Houses of Parliament at *Westminster*.

CHARLES R.

Notwithstanding the unexpected silence in stead of Answer to His Majesties many and gracious Messages to both Houses, whereby it may appear that they desire to attain their ends by Force rather than Treaty, which may justly discourage His Majesty from any more overtures of that kind; yet His Majesty conceives He shall be much wanting to His Duty to God, and in what He oweth to the Safety of His People, if He should not intend to prevent the great inconveniences that may otherwise hinder a safe and well-grounded Peace. His Majesty therefore now proposeth, That, so He may have the Faith of both Houses of Parliament for the preservation of His Honour, Person and Estate, and that liberty be given to all those who do and have adhered to His Majesty to goe to their own Houses, and there to live peaceably, enjoying their Estates, all Sequestrations being taken off, without being compelled to take any Oath not enjoined by the undoubted Laws of the Kingdom, or being put to any other molestation whatsoever; He will immediately disband all His Forces, and dismantle all His
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Garrisons, and being accompanied with His Royal, not His Martial, Attendance, return to His two Houses of Parliament, and there reside with them. And for the better security of all His Majesties Subjects, He proposeth, That He with His said two Houses, immediately upon His coming to *Westminster*, will pass an Act of Oblivion and Free Pardon; and where His Majesty will further doe whatsoever they will advise Him for the good and Peace of this Kingdom.

And as for the Kingdom of *Scotland*, His Majesty hath made no mention of it here, in regard of the great loss of time which must now be spent in expecting an Answer from thence; but declares, That immediately upon His coming to *Westminster*, He will apply Himself to give them all satisfaction touching that Kingdom.

If His Majesty could possibly doubt the success of this Offer, He could use many Arguments to perswade them to it; but shall only insist on that great One, of giving an instant Peace to these afflicted Kingdoms.

Given at Our Court at *Oxford*, the 23. of *March*, 1645.

*His MAJESTIES Letter to the Marques of Ormond,
Lord Lieutenant of Ireland, from Oxford,
April 13. 1646.*

CHARLES R.

Right Trusty and entirely-Beloved Cosen and Counsellour, We greet you well. Having used all possible and Honourable means, by sending many gracious Messages to the two Houses of Parliament, wherein We have offered them all they have heretofore desired, and desire from them nothing but what they themselves (since these unhappy Warres) have offered, to procure Our Personal Treaty with them for a safe and well-grounded Peace; and having, in stead of a dutiful and peaceable return to Our said Messages, received either no Answer at all, or such as argues nothing will satisfie them but the Ruine, not onely of Us, Our Posterity and Friends, but even of Monarchy it self; and having lately received very good Security that We, and all that do or shall adhere to Us, shall be safe in Our Persons, Honours and Consciences, in the *Scottish* Army, and that they shall really and effectually joyn with Us, and

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with such as will come in unto Us, and joyn with them for Our Preservation, and shall imploy their Armies and Forces to assist Us to the procuring of an happy and well-grounded Peace, for the good of Us and Our Kingdoms, in the recovery of Our just Right: We have resolved to put Our selves to the hazard of passing into the *Scots* Army now lying before *Newark*; and if it shall please God that We come safe thither, We are resolved to use Our best endeavour, with their Assistance, and with the conjunction of the Forces under the Marquess of *Montrose*, and such of Our well-affected Subjects of *England* as shall rise for Us, to procure, if it may be, an Honourable and speedy Peace with those who have hitherto refused to give ear to any means tending thereunto. Of which Our Resolution We held it necessary to give you this Advertisement, as well to satisfy you, and Our Council and loyal Subjects with you (to whom We will that you communicate these Our Letters) that failing in Our earnest and sincere endeavours by Treaty to put an end to the Miseries of these Kingdoms, We esteemed Our self obliged to leave no probable Expedient unattempted to preserve Our Crown and Friends from the Usurpation and Tyranny of those whose Actions declare so manifestly their Designs to overthrow the Laws and happy established Government of this Kingdom. And now We have made known to you Our Resolution, We recommend to your special care the disposing and managing of Our Affairs on that side, as you shall conceive most for Our Honour and Service; being confident the course We have taken (though with some hazard to Our Person) will have a good influence on that Our Kingdom, and deferre, if not altogether prevent, the Rebels transporting of Forces from them into that Kingdom. And We desire you to satisfy all Our well-affected Subjects on that side, of Our Princely Care of them, whereof they shall receive the effect as soon as God shall enable Us. We desire you to use some means to let Us and Our Council at *Oxon* hear frequently from you, and of your Actions and Condition there. And so God prosper your Loyal Endeavours.

Given at Our Court at *Oxon*, the 13. of *April*, 1646.

By His Majesties Command,
Edward Nicholas.

His

His MAJESTIES Message to both Houses, from Southwell, May 18. 1646.

For the Speaker of the House of Peers *pro tempore*, to be communicated to the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of *Scotland*.

CHARLES R.

HIS Majesty having understood from both His Houses of Parliament, that it was not safe for Him to come to *London* (whether He had purposed to repair, if so He might, by their Advice to doe whatsoever may be best for the good and Peace of these Kingdoms) until He shall first give His Consent to such Propositions as were to be presented to Him from them; and being certainly informed that the Armies were marching so fast up to *Oxford*, as made that no fit place for Treating; did resolve to withdraw Himself hither, only to secure His own Person, and with no intention to continue this Warre any longer, or to make any Division between His two Kingdoms, but to give such contentment to both as, by the blessing of God, He might see a happy and well-grounded Peace, thereby to bring Prosperity to these Kingdoms answerable to the best times of His Progenitors.

And since the settling of Religion ought to be the chiefest care of all Counsels, His Majesty most earnestly and heartily recommends to His two Houses of Parliament all the waies and means possible for speedy finishing this pious and necessary Work; and particularly, that they take the Advice of the Divines of both Kingdoms assembled at *Westminster*.

Likewise concerning the *Militia* of *England*, for securing His People against all pretensions of Danger, His Majesty is pleased to have it settled as was offered at the Treaty at *Uxbridge*, all the Persons being to be named for the Trust by the two Houses of the Parliament of *England*, for the space of seven years; and after the expiring of that term, that it be regulated as shall be agreed upon by His Majesty and His two Houses of Parliament.

And the like for the Kingdom of *Scotland*.

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Concerning the Warres in *Ireland*, His Majesty will doe whatsoever is possible for Him to give full satisfaction therein.

And if these be not satisfactory, His Majesty then desires, that all such of the Propositions as are already agreed upon by both Kingdoms may be speedily sent unto Him; His Majesty being resolved to comply with His Parliament in every thing that shall be for the Happiness of His Subjects, and for the removing of all unhappy Differences which have produced so many sad effects.

His Majesty having made these Offers, He will neither question the thankful acceptance of them, nor doth He doubt but that His two Kingdoms will be careful to maintain Him in His Honour and in His just and lawful Rights, which is the only way to make a happy composure of these unnatural Divisions: and likewise will think upon a solid way of conserving the Peace between the two Kingdoms for time to come; and will take a speedy course for easing and quieting His afflicted People, by satisfying the Publick Debts, by disbanding of all Armies, and whatsoever shall be judged conducive to that end: that so, all hinderances being removed, He may return to His Parliament with mutual Comfort.

Southwell, May 18. 1646.

POST-SCRIPT.

His Majesty being desirous to shun the further effusion of Blood, and to evidence His real Intentions to Peace, is willing that His Forces in and about *Oxford* be disbanded, and the Fortifications of the City dismantled, they receiving honourable Conditions. Which being granted to the Town and Forces there, His Majesty will give the like order to the rest of the Garrisons.

His

*His MAJESTIES Letter to the City of London,
from Newcastle, May 19. 1646.*

For Our right Trusty and Wel-beloved, the Lord Maior, Aldermen and Common-Councel of Our City of *London*.

CHARLES R.

Right Trusty and Wel-beloved, We greet you well. Having expressed Our Resolution to the two Houses of Our Parliament of *England* and the Committee of Estates of Our Parliament of *Scotland*, to give all just satisfaction to the joynt desires of both Kingdoms, We have now likewise thought fit to assure the two chief Cities of both Our Kingdoms, That nothing is more grievous to Us then the Trouble and Distractions of Our People, and that nothing on earth is more desired by Us then that in Religion and Peace, with all the comfortable Fruits of both, they may henceforth live under Us in all Godliness and Honesty. And this Profession We make for no other end, but that you may know immediately from Our Selves Our Integrity & full resolution to comply with Our Parliaments in every thing for settling Truth and Peace, and Our desire to have all things speedily concluded which shall be found requisite for that end; that Our Return to that Our ancient City may be to the Satisfaction of Our Parliament, the good liking of you and all Our good People, and to Our own greater joy and comfort. We bid you heartily farewell.

From *Newcastle*, the 19. of *May*, 1646.

His

*His MAJESTIES Message to both Houses, from
Newcastle, June 10. 1646.*

For the Speaker of the House of Peers *pro tempore*, to be communicated to the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of *Scotland*.

CHARLES R.

HIS Majesty looking with grief of heart upon the sad sufferings of His People in His three Kingdoms for some years past, and being afflicted with their Distresses and unquiet condition, through the Distractions about Religion, the keeping of Forces on foot in the Field and Garrisons, the not satisfying of Publick Debts, and the fears of the further effusion of Blood by the continuance of an unnatural Warre in any of these Kingdoms, or by rending and dividing these Kingdoms so happily united; and having sent a gracious Message unto both Houses of Parliament, and the Commissioners of the Parliament of *Scotland*, expressing the necessary causes of His coming from *Oxford* unto the *Scottish* Army, (without any intention to make a division, where He is in Freedom and right capacity to settle a true Peace) and containing such Offers as He conceived would have been accepted, with a general Clause of complying with their desires; and being impatient of Delays, and not acquainted with the particulars which may give contentment to them: His Majesty doth earnestly desire, That the Propositions of Peace so often promised, and so much expected, may be speedily sent unto Him, That upon consideration of them, He may apply Himself to give such satisfaction as may be the foundation of a firm Peace. And for the better and more speedy attaining thereunto, His Majesty doth further propound, That He may come to *London* with Safety, Freedom and Honour, where He resolves to comply with His Houses of Parliament in every thing which may be most for the good of His Subjects, and perfect what remains for settling both Kingdoms and People in a happy condition; being likewise most confident, that they, according to their re-iterated Declarations and solemn Protestations, will be zealous in the maintenance

nance of His Honour, and just and lawful Rights. And His Majesty desires the Houses of Parliament, to disburthen the Kingdom of all Forces and Garrisons in their power, except such as before these unhappy times have been maintained for the necessary defence and safety of this Kingdom: So He is willing forthwith to disband all His Forces and Garrisons within the same, as the inclosed Order herewith sent will evidence. And if upon these Offers His Majesty shall have such satisfaction, as He may be confident a firm Peace shall ensue thereon, His Majesty will then give order for His Son the Prince his present return.

Newcastle, the tenth of June, 1646.

*His MAJESTIES Letter to the Governors of His Garrisons,
from Newcastle, June 10. 1646.*

To Our Trusty and Wel-beloved, Sir Thomas Glenham, Sir Thomas Tildesley, Colonel *H. Washington*, Col. *Thomas Blagge*, Governors of Our Cities and Towns of *Oxford, Litchfield, Worcester, and Wallingford*; and all other Commanders of any Towns, Castles and Forts in Our Kingdom of *England*.

CHARLES R.

HAVING resolved to comply with the desires of Our Parliament in every thing which may be for the good of Our Subjects, and leave no means unassayed for removing all Differences amongst us; therefore We have thought fit, the more to evidence the reality of Our Intentions of settling a happy and firm Peace, to require you upon honourable Terms to quit those Towns, Castles and Forts, intrusted to you by Us, and to disband all the Forces under your several Commands.

Newcastle, the tenth of June, 1646.

His

*His MAJESTIES Letter to the Marquess of Ormond,
Lord Lieutenant of Ireland, from Newcastle,
June 11. 1646.*

CHARLES R.

Right Trusty and entirely-Beloved Cosen and Counsellour, We greet you well. Having long with much grief looked upon the sad Condition Our Kingdom of *Ireland* hath been in these divers years through the wicked and desperate Rebellion there, and the bloody effects have ensued thereupon, for the settling whereof We would have wholly applied Our selves, if the Difference between Us and Our Subjects here had not diverted and withdrawn Us; and not having been able by Force (for that respect) to reduce them; We were necessitated for the present safety of Our Protestant Subjects there, to give you Power and Authority to Treat with them upon such pious, honourable and safe grounds, as the good of that Our Kingdom did then require: But for many Reasons, too long for a Letter, We think fit to require you to proceed no further in Treaty with the Rebels, nor to engage Us upon any Conditions with them after sight hereof. And having formerly found such real proofs of your ready Obedience to Our Commands, We doubt not of your care in this, wherein Our Service and the good of Our Protestant Subjects in *Ireland* is so much concerned.

From *Newcastle*, June 11. 1646.

The Propositions of the Lords and Commons assembled in Parliament, for a safe and well-grounded Peace;

Sent to His Majesty at Newcastle, by the Right Honourable the Earl of Pembroke and Montgomery, the Earl of Suffolk, Members of the House of Peers, and Sir Walter Earle, Sir John Hippeley, Knights, Robert Goodwyn, Luke Robinson, Esquires, Members of the House of Commons.

Die Sabbathi, 11. Julii, 1646.

The Propositions of the Lords and Commons assembled in Parliament, for a safe and well-grounded Peace.

[Presented
Jul. 24.]

May it please your Majesty,

WE the Lords and Commons assembled in the Parliament of *England*, in the name and on the behalf of the Kingdoms of *England* and *Ireland*, and the Commissioners of the Parliament of *Scotland*, in the name and on the behalf of the Kingdom of *Scotland*, do humbly present unto Your Majesty the humble desires and Propositions for a safe and well-grounded Peace agreed upon by the Parliaments of both Kingdoms respectively; unto which we do pray Your Majesties Assent: and that they and all such Bills as shall be tendred to Your Majesty in pursuance of them, or any of them, may be Established and Enacted for Statutes and Acts of Parliament by Your Majesties Royal Assent in the Parliaments of both Kingdoms respectively.

I. **W**Hereas both Houses of the Parliament of *England* have been necessitated to undertake a Warre in their just and lawful defence, and afterwards both Kingdoms of *England* and *Scotland* joyned in solemn League and Covenant were engaged to prosecute the same; That by Act of Parliament in each Kingdom respectively, all Oaths, Declarations and Proclamations heretofore had, or hereafter to be had, against both or either of the Houses of the Parliament of *England*, the Parliament of the Kingdom of *Scotland*, and the late Convention of Estates in *Scotland*, or Committees flowing from the Parliament or Convention in *Scotland*, or their Ordinances and proceedings, or against any for adhering unto them, or for doing or executing any Office, Place or Charge, by any Authority derived from them, and all Judgements, Indictments, Outlawries, Attainders and Inquisitions in any the said Causes, and all Grants thereupon made or had, or to be made or had, be declared null, suppressed and forbidden. And that this be publickly intimated in all Parish Churches within His Majesties Dominions and all other places needfull.

[These Propositions are for the most part the same with those at Hxbridge.]

II. That His Majesty, according to the laudable example of His Royal Father of happy memory, may be pleased to swear and sign the late solemn League and Covenant; and that an Act of Parliament be passed in both Kingdoms respectively, for enjoining the taking thereof by all the Subjects of the three Kingdoms; and the Ordinances concerning the manner of taking the same in both Kingdoms be confirmed by Acts of Parliament respectively, with such Penalties as by mutual advice of both Kingdoms shall be agreed upon.

III. That a Bill be passed for the utter Abolishing and taking away of all Archbishops, Bishops, their Chancellors and Commissaries, Deans and Subdeans, Deans and Chapters, Arch-deacons, Canons and Prebendaries, and all Chaunters, Chancellours, Treasurers, Sub-treasurers, Succentors and Sacrists, and all Vicars Choral and Choristers, old Vicars and new Vicars, of any Cathedral or Collegiate Church, and

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all

all other their under-Officers, out of the Church of *England* and Dominion of *Wales*, and out of the Church of *Ireland*; with such Alterations concerning the Estates of Prelates as shall agree with the Articles of the late Treaty of the Date at *Edenburgh*, 29. November 1643. and joynt Declaration of both Kingdoms.

IV. That the Ordinances concerning the Calling and fitting of the Assembly of Divines be confirmed by Act of Parliament.

V. That Reformation of Religion according to the Covenant be settled by Act of Parliament, in such manner as both Houses have agreed, or shall agree upon after Consultation had with the Assembly of Divines.

VI. Forasmuch as both Kingdoms are mutually obliged by the same Covenant to endeavour the nearest Conjunction and Uniformity in matters of Religion, that such Unity & Uniformity in Religion according to the Covenant as, after Consultation had with the Divines of both Kingdoms now assembled, is or shall be joyntly agreed upon by both Houses of Parliament of *England* and by the Church and Kingdom of *Scotland*, be confirmed by Acts of Parliament of both Kingdoms respectively.

VII. That for the more effectual disabling Jesuits, Priests, Papists and Popish Recusants from disturbing the State and deluding the Laws, and for the better discovering and speedy conviction of Recusants, an Oath be established by Act of Parliament to be administred to them, wherein they shall abjure and renounce the Popes Supremacy, the Doctrine of Transubstantiation, Purgatory, Worshipping of the Consecrated Host, Crucifixes and Images, and all other Popish Superstitions and Errours; and refusing the said Oath, being tendred in such manner as shall be appointed by the said Act, to be a sufficient Conviction of Recusancy.

VIII. An Act of Parliament for Education of the Children of Papists by Protestants in the Protestant Religion.

IX. An Act for the true levy of the Penalties against them, which Penalties to be levied and disposed in such manner as both Houses shall agree on, wherein to be provided that His Majesty shall have no loss.

X. That an Act be passed in Parliament, whereby the practices of Papists against the State may be prevented, and the Laws against them duely executed, and a stricter course taken to prevent the saying or hearing of Mass in the Court, or any other part of this Kingdom.

XI. The like for the Kingdom of *Scotland*, concerning the four last preceding Propositions, in such manner as the Estates of the Parliament there shall think fit.

XII. That the King do give His Royal Assent to an Act for the due observation of the Lords Day.

And to the Bill for the suppression of Innovations in Churches and Chappels in and about the Worship of God, &c.

And for the better advancement of the Preaching of God's holy Word in all parts of this Kingdom.

And to the Bill against the enjoying of Pluralities of Benefices by Spiritual Persons, and Non-Residency.

And to an Act to be framed and agreed upon by both Houses of Parliament for the reforming and regulating of both Universities, of the Colleges of *Westminster*, *Winchester* and *Eaton*.

And to such Act or Acts for raising of Moneys for the payment and satisfying of the Publick Debts and Damages of the Kingdom, and other Publick uses, as shall hereafter be agreed on by both Houses of Parliament; and that if the King do not give His Assent thereunto, then it being done by both Houses of Parliament, the same shall be

be as valid to all Intents and Purposes as if the Royal Assent had been given thereunto.

The like for the Kingdom of *Scotland*.

And that His Majesty give assurance of His consenting in the Parliament of *Scotland* to an Act acknowledging and ratifying the Acts of the Convention of Estates of *Scotland*, called by the Council and Conservers of the Peace and the Commissioners of the Common Burthens, and assembled the two and twentieth day of *June* 1643. & several times continued since, and of the Parliament of that Kingdom since convened.

XIII. That the Lords and Commons in the Parliament of *England* assembled shall, during the space of twenty years, from the first of *July* 1646. Arme, Train and Discipline, or cause to be Armed, Trained and Disciplined, all the Forces of the Kingdoms of *England* and *Ireland* and Dominion of *Wales*, the Isles of *Gernsey* and *Fersey*, and the Town of *Barwick* upon *Tweed*, already raised both for Sea and Land-service; and shall from time to time, during the said space of twenty years, raise, levie, arme, train and discipline, or cause to be raised, levied, armed, trained and disciplined, any other Forces for Land and Sea-service in the Kingdoms, Dominions and places aforesaid, as in their judgements they shall from time to time, during the said space of twenty years, think fit and appoint; and that neither the King, His Heirs or Successors, nor any other, but such as shall Act by the Authority or approbation of the said Lords and Commons, shall, during the said space of twenty years, exercise any of the Powers aforesaid.

And the like for the Kingdom of *Scotland*, if the Estates of the Parliament there shall think fit.

That Moneys be raised and levied for the maintenance and use of the said Forces for Land-service, and of the Navy and Forces for Sea-service, in such sort and by such waies and means as the said Lords and Commons shall from time to time, during the said space of twenty years, think fit and appoint, and not otherwise. That all the said Forces both for Land and Sea-service, so raised or levied, or to be raised or levied, and also the Admiralty and Navy, shall from time to time, during the said space of twenty years, be employed, managed, ordered and disposed by the said Lords and Commons, in such sort and by such waies and means as they shall think fit and appoint, and not otherwise. And the said Lords and Commons during the said space of twenty years shall have power,

1. To suppress all Forces raised or to be raised without Authority and consent of the said Lords and Commons, to the disturbance of the publick Peace of the Kingdoms of *England* and *Ireland*, and Dominion of *Wales*, the Isles of *Gernsey* and *Fersey*, and the Town of *Barwick* upon *Tweed*, or any of them.

2. To suppress any forein Forces who shall invade or endeavour to invade the Kingdoms of *England* and *Ireland*, Dominion of *Wales*, the Isles of *Gernsey* and *Fersey*, and the Town of *Barwick* upon *Tweed*, or any of them.

3. To conjoyn such Forces of the Kingdom of *England* with the Forces of the Kingdom of *Scotland* as the said Lords and Commons shall from time to time, during the said space of twenty years, judge fit and necessary; to resist all Forein Invasions, and to suppress any Forces raised or to be raised against or within either of the said Kingdoms, to the disturbance of the publick Peace of the said Kingdoms or any of them, by any Authority under the great Seal or other Warrant whatsoever, without consent of the said Lords and Commons of the Parliament of *England*, and the Parliament or the Estates of the Parliament of *Scotland*, respectively: and that no Forces of either Kingdom shall goe into or continue in the other Kingdom without the advice and desire of the said Lords and Commons of the Parliament of *England*, and the Parliament of the Kingdom of *Scotland*, or such as shall be by them appointed for that purpose.

And that after the expiration of the said twenty years, neither the King, His Heirs or Successors, or any person or persons by colour or pretence of any Commission, Power, Deputation, or Authority to be derived from the King, His Heirs or Successors, or any of them, shall raise, arme, train, discipline, imploy, order, manage, disband or dispose any of the Forces by Sea or Land, of the Kingdoms of *England* and

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Ireland,

Ireland, the Dominion of *Wales*, Isles of *Gernsey* and *Fersey*, and the Town of *Barmick* upon *Tweed*, nor exercise any of the said Powers or Authorities in the precedent Articles mentioned and expressed to be during the said space of twenty years in the said Lords and Commons, nor doe any Act or thing concerning the execution of the said Powers or Authorities, or any of them, without the consent of the said Lords and Commons first had and obtained. That after the expiration of the said twenty years, in all cases wherein the Lords and Commons shall declare the Safety of the Kingdom to be concerned, and shall thereupon pass any Bill or Bills for the raising, arming, training, disciplining, imploying, managing, ordering or disposing of the Forces by Sea or Land, of the Kingdoms of *England* and *Ireland*, the Dominion of *Wales*, Isles of *Gernsey* and *Fersey*, and the Town of *Barmick* upon *Tweed*, or of any part of the said Forces, or concerning the Admiralty and Navy, or concerning the levying of Moneys for the raising, maintenance, or use of the said Forces for Land-service, or of the Navy and forces for Sea-service, or of any part of them; and if that the Royal Assent to such Bill or Bills shall not be given in the House of Peers within such time after the passing thereof by both Houses of Parliament as the said Houses shall judge fit and convenient, that then such Bill or Bills so passed by the said Lords and Commons as aforesaid, and to which the Royal Assent shall not be given, as is herein before expressed, shall nevertheless, after declaration of the said Lords and Commons made in that behalf, have the force and strength of an Act or Acts of Parliament, and shall be as valid to all intents and purposes as if the Royal Assent had been given thereunto.

Provided that nothing herein before contained shall extend to the taking away of the ordinary Legal power of Sheriffs, Justices of Peace, Maiors, Bailiffs, Coroners, Constables, Headboroughs, or other Officers of Justice not being military Officers, concerning the administration of Justice; so as neither the said Sheriffs, Justices of the Peace, Maiors, Bailiffs, Coroners, Constables, Headboroughs and other Officers, nor any of them, do levy, conduct, imploy or command any Forces whatsoever, by colour or pretence of any Commission of Array, or extraordinary command from His Majesty, His Heirs or Successors, without the Consent of the said Lords and Commons.

And if any persons shall be gathered and assembled together in warlike manner, or otherwise, to the number of thirty persons, and shall not forthwith disband themselves being required thereto by the said Lords and Commons, or command from them, or any by them especially authorized for that purpose, then such person and persons not so disbanding themselves shall be guilty and incur the pains of high Treason, being first declared guilty of such offence by the said Lords and Commons; any Commission under the great Seal or other Warrant to the contrary notwithstanding.

And he or they that shall offend herein, to be incapable of any Pardon from His Majesty, His Heirs or Successors, and their Estates shall be disposed as the said Lords and Commons shall think fit, and not otherwise.

Provided that the City of *London* shall have and enjoy all their Rights, Liberties and Franchises, Customes and Usages in the raising and imploying the Forces of that City for the defence thereof, in as full and ample manner to all intents and purposes as they have or might have used or enjoyed the same at any time before the making of the said Act or Proposition; to the end that City may be fully assured, it is not the intention of the Parliament to take from them any Privileges or Immunities in raising or disposing of their Forces, which they have or might have used or enjoyed heretofore.

The like for the Kingdom of *Scotland*, if the Estates of the Parliament there shall think fit.

XIV. That by Act of Parliament all Peers made since the day that *Edward* Lord *Littleton*, then Lord Keeper of the Great Seal, deserted the Parliament, and that the said Great Seal was surreptitiously conveyed away from the Parliament, being the one and twentieth day of *May* 1642. and who shall be hereafter made, shall not sit or

Vote

Vote in the Parliament of *England* without Consent of both Houses of Parliament: and that all Honour and Title conferred on any without Consent of both Houses of Parliament since the twentieth of *May* 1642. being the day that both Houses declared, That the King seduced by evil Counsel intended to raise Warre against the Parliament, be declared null and void.

The like for the Kingdome of *Scotland*, those being excepted whose Patents were passed the Great Seal before the fourth of *June* 1644.

XV. That an Act be passed in the Parliaments of both Kingdoms respectively, for confirmation of the Treaties passed betwixt the two Kingdoms, (*viz.*) the large Treaty, the late Treaty for the coming of the *Scots* Army into *England*, and the settling of the Garrison of *Barwick*, of the 29. of *November* 1643. and the Treaty concerning *Ireland*, of the 6. of *August* 1642. for the bringing of ten thousand *Scots* into the Province of *Ulster* in *Ireland*, with all other Ordinances and proceedings passed betwixt the two Kingdoms, and whereunto they are obliged by the afore-said Treaties.

And that *Algernon* Earl of *Northumberland*, *John* Earl of *Rutland*, *Philip* Earl of *Pembroke* and *Montgomery*, *Robert* Earl of *Essex*, *Theophilus* Earl of *Lincoln*, *James* Earl of *Suffolk*, *Robert* Earl of *Warwick*, *Edward* Earl of *Manchester*, *Henry* Earl of *Stamford*, *Francis* Lord *Dacres*, *Philip* Lord *Wharton*, *Francis* Lord *Willoughby*, *Dudly* Lord *North*, *John* Lord *Hunsdon*, *William* Lord *Gray*, *Edward* Lord *Howard* of *Esrich*, *Thomas* Lord *Bruce*, *Ferdinando* Lord *Fairfax*, Master *Nathaniel* *Fiennes*, Sir *William* *Armyne*, Sir *Philip* *Stapleton*, Sir *Henry* *Vane* senior, Master *William* *Pierrepont*, Sir *Edward* *Aiscough*, Sir *William* *Strickland*, Sir *Arthur* *Heslrig*, Sir *John* *Fenwick*, Sir *William* *Brereton*, Sir *Thomas* *Widdrington*, Master *John* *Toll*, Master *Gilbert* *Millington*, Sir *William* *Constable*, Sir *John* *Wray*, Sir *Henry* *Vane* junior, Master *Henry* *Darley*, *Oliver* *Saint-John* Esquire His Majesties Solicitor General, Master *Denzill* *Hollis*, Master *Alexander* *Rigby*, Master *Cornelius* *Holland*, Master *Samuel* *Vassall*, Master *Peregrine* *Pelham*, *John* *Glyn* Esquire Recorder of *London*, Master *Henry* *Marten*, Master *Alderman* *Hoyle*, Master *John* *Blakeston*, Master *Serjeant* *Wilde*, Master *Richard* *Barwis*, Sir *Anthony* *Irby*, Master *Ashurst*, Master *Bellingham*, and Master *Tolson*, Members of both Houses of the Parliament of *England*, shall be the Commissioners for the Kingdom of *England*, for conservation of the Peace between the two Kingdoms, to act according to the Powers in that behalf expressed in the Articles of the large Treaty, and not otherwise.

That His Majesty give His Assent to what the two Kingdoms shall agree upon in prosecution of the Articles of the large Treaty, which are not yet finished.

XVI. That an Act be passed in the Parliaments of both Kingdoms respectively for establishing the joynt Declaration of both Kingdoms, bearing date the 30. day of *January* 1643. in *England*, and 1644. in *Scotland*, with the Qualifications ensuing.

1. *Qualification.*

That the Persons who shall expect no pardon be onely these following,

Rupert and *Maurice* Count Palatines of the *Rhene*, *James* Earl of *Derby*, *John* Earl of *Bristol*, *William* Earl of *Newcastle*, *Francis* Lord *Cottington*, *George* Lord *Digby*, *Matthew* *Wren* Bishop of *Ely*, Sir *Robert* *Heath* Knight, Doctor *Bramhall* Bishop of *Derry*, Sir *William* *Widdrington*, Colonel *George* *Goring*, *Henry* *Fermin* Esquire, Sir *Ralph* *Hopton*, Sir *John* *Biron*, Sir *Francis* *Doddington*, Sir *John* *Strangways*, Master *Endymion* *Porter*, Sir *George* *Radcliffe*, Sir *Marmaduke* *Langdale*, *Henry* *Vaughan* Esquire, now called Sir *Henry* *Vaughan*, Sir *Francis* *Windebanke*, Sir *Richard* *Greenvile*, Master *Edward* *Hyde*, now called Sir *Edward* *Hyde*, Sir *John* *Marley*, Sir *Nicholas* *Cole*, Sir *Thomas* *Riddell* junior, Sir *John* *Culpepper*, Master *Richard* *Lloyd*, now called Sir *Richard* *Lloyd*, Master *David* *Fenkins*, Sir *George* *Strode*, *George* *Carteret* Esquire, now called Sir *George* *Carteret*, Sir *Charles* *Dallison* Knight, *Richard* *Lane* Esquire, now called Sir *Richard* *Lane*, Sir *Edward* *Nicholas*, *John* *Asburnham* Esquire, Sir *Edward* *Herbert* Knight, His Majesties Attorney General, Earl of *Traquaire*, Lord *Harris*, Lord *Rae*, *George* *Gordon*, sometime Marquess of *Huntley*,

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James

James Graham, sometime Earl of *Montrose*, *Robert Maxwell*, late Earl of *Nithisdale*, *Robert Dalryell*, sometime Earl of *Carnwarth*, *James Gordon*, sometime Viscount of *Aboyne*, *Lodowick Linsey*, sometime Earl of *Crawford*, *James Ogleby*, sometime Earl of *Airley*, *James Ogleby*, sometime Lord *Ogleby*, *Patrick Ruthen*, sometime Earl of *Forth*, *James King*, sometime Lord *Itham*, *Alester Macdonald*, *Irwing* younger of *Drunim*, *Gordon* younger of *Gight*, *Lesley* of *Auchentoule*, Colonel *John Cockram*, *Graham* of *Gorthie*, Master *John Maxwell*, sometime pretended Bishop of *Rosse*, and all such others as being Proceßed by the Estates for Treason, shall be condemned before the Act of Oblivion be passed.

2. *Qualification.*

All Papists and Popish Recufants, who have been, now are, or shall be actually in Arms, or voluntarily assisting against the Parliaments or Estates of either Kingdom; and by name, The Marquess of *Winton*, Earl of *Worcester*, *Edward* Lord *Herbert* of *Ragland*, son to the Earl of *Worcester*, Lord *Brudenell*, *Carell Molineaux* Esquire, Lord *Arundel* of *Wardour*, Sir *Francis Howard*, Sir *John Winter*, Sir *Charles Smith*, Sir *John Preston*, Sir *Bazill Brook*, Lord *Audley*, Earl of *Castlehaven* in the Kingdom of *Ireland*, *William Sheldon* of *Beely* Esquire, Sir *Henry Beddingfield*.

3. *Qualification.*

All persons who have had any hand in the plotting, designing or assisting the Rebellion of *Ireland*, except such persons who having onely assisted the said Rebellion, have rendred themselves, or come in to the Parliament of *England*.

4. *Qualification.*

That *Humfrey Bennet* Esquire, Sir *Edward Ford*, Sir *John Penruddock*, Sir *George Vaughan*, Sir *John Weld*, Sir *Robert Lee*, Sir *John Pate*, *John Ackland*, *Edmond Windham* Esquire, Sir *John Fitz-herbert*, Sir *Edward Lawrence*, Sir *Ralph Dutton*, *Henry Lingen* Esquire, Sir *William Russell* of *Worcestershire*, *Thomas Lee* of *Adlington* Esquire, Sir *John Girlington*, Sir *Paul Neale*, Sir *William Thorold*, Sir *Edward Hussey*, Sir *Thomas Liddall* sen. Sir *Philip Musgrave*, Sir *John Digby* of *Nottinghamshire*, Sir *Henry Fletcher*, Sir *Richard Minshull*, *Lawrence Halstead*, *John Denham* Esquire, Sir *Edmond Fortescue*, *Peter Sainthill* Esquire, Sir *Thomas Tildesley*, Sir *Henry Griffith*, *Michael Wharton* Esq. Sir *Henry Spiller*, Mr *George Benyon*, now called Sir *George Benyon*, Sir *Edward Walgrave*, Sir *Edward Bishop*, Sir *Robert Omseley*, Sir *John Many*, L^d *Cholmley*, Sir *Thomas Aston*, Sir *Lewis Dives*, Sir *Peter Osbourne*, *Samuel Thornton* Esq. Sir *John Lucas*, *John Blaney* Esq. Sir *Thomas Chedle*, Sir *Nicholas Kemish*, *Hugh Lloyd* Esquire, Sir *Nicholas Crispe*, Sir *Peter Ricaut*, and all such of the *Scotish* Nation as have concurred in the Votes at *Oxford* against the Kingdom of *Scotland* and their proceedings, or have sworn or subscribed the Declaration against the Convention and Covenant, and all such as have assisted the Rebellion in the North, or the Invasion in the South of the said Kingdom of *Scotland*, or the late Invasion made there by the *Irish* and their Adherents, be removed from His Majesties Counsels, and be restrained from coming within the Verge of the Court; and that they may not, without the Advice and Consent of both Houses of the Parliament of *England*, or the Estates in the Parliament of *Scotland*, respectively, bear any Office, or have any Employment concerning the State or Commonwealth: and in case any of them shall offend therein, to be guilty of high Treason, and incapable of any Pardon from His Majesty, and their Estates to be disposed as both Houses of the Parliament of *England*, or the Estates of the Parliament in *Scotland*, respectively, shall think fit: and that one full third part upon full value of the Estates of the persons aforesaid, made incapable of Employment as aforesaid, be employed for the payment of the Publick Debts and Damages, according to the Declaration.

1. *Branch.* That the late Members, or any who pretended themselves late Members of either House of Parliament, who have not onely deserted the Parliament, but have also sate in the unlawful Assembly at *Oxford*, called or pretended by some to be a Parliament, and voted both Kingdoms Traitors, and have not voluntarily rendred themselves before the last of *October* 1644. be removed from His Majesties Counsels, and be restrained from coming within the Verge of the Court; and that they may not, without Advice and Consent of both Kingdoms, bear any Office, or have any

any imployment concerning the State or Commonwealth: and in case any of them shall offend therein, to be guilty of high Treason, and incapable of any Pardon by His Majesty, and their Estates to be disposed as both Houses of Parliament in *England*, or the Estates of the Parliament of *Scotland*, respectively, shall think fit.

2. *Branch.* That the late Members, or any who pretended themselves Members of either House of Parliament, who have sate in the unlawful Assembly at *Oxford*, called or pretended by some to be a Parliament, and have not voluntarily rendered themselves before the last of *October* 1644. be removed from His Majesties Counsels, and restrained from coming within the Verge of the Court; and that they may not, without the Advice and Consent of both Houses of Parliament, bear any Office, or have any Imployment concerning the State or Commonwealth: and in case any of them shall offend therein, to be guilty of high Treason, and incapable of any Pardon from His Majesty, and their Estates to be disposed as both Houses of the Parliament of *England* shall think fit.

3. *Branch.* That the late Members, or any who pretended themselves Members of either House of Parliament, who have deserted the Parliament, and adhered to the Enemies thereof, and have not rendered themselves before the last of *October* 1644. be removed from His Majesties Counsels, and be restrained from coming within the Verge of the Court; and that they may not, without the Advice and Consent of both Houses of Parliament, bear any Office, or have any Imployment concerning the State or Commonwealth: and in case any of them shall offend therein, to be guilty of high Treason, and incapable of any Pardon from His Majesty, and their Estates to be disposed as both Houses of Parliament in *England* shall think fit.

5. *Qualification.*

That all Judges and Officers towards the Law, Common or Civil, who have deserted the Parliament, and adhered to the Enemies thereof, be incapable of any place of Judicature or Office towards the Law, Common or Civil: and that all Serjeants, Counsellours and Attorneys, Doctors, Advocates and Proctors of the Law, Common or Civil, who have deserted the Parliament, and adhered to the Enemies thereof, be incapable of any practice in the Law, Common or Civil, either in publick or private, and shall not be capable of any Preferment or Imployment in the Commonwealth, without the Advice and Consent of both Houses of Parliament: and that no Bishop or Clergy-man, no Master or Fellow of any College or Hall in either of the Universities or elsewhere, or any Master of School or Hospitall, or any Ecclesiastical person, who hath deserted the Parliament, and adhered to the Enemies thereof, shall hold or enjoy, or be capable of any Preferment or Imployment in Church or Commonwealth, but all their said several Preferments, Places and Promotions, shall be utterly void, as if they were naturally dead; nor shall they otherwise use their Function of the Ministry, without Advice and Consent of both Houses of Parliament: Provided that no Lapse shall incur by such Vacancy, until six moneths past after notice thereof.

6. *Qualification.*

That all persons who have been actually in Arms against the Parliament, or have counselled or voluntarily assisted the Enemies thereof, are disabled to be Sheriffs, Justices of the Peace, Maiors, or other head-Officers of any City or Corporation, Commissioners of *Oyer* and *Terminer*, or to sit or serve as Members or Assistants in either of the Houses of Parliament, or to have any Military imployment in this Kingdom, without the Consent of both Houses of Parliament.

7. *Qualification.*

The persons of all others to be free of all personal Censure, notwithstanding any act or thing done in or concerning this Warre, they taking the Covenant.

8. *Qualification.*

The Estates of those persons excepted in the first three precedent Qualifications, and the Estates of *Edward* Lord *Littleton* and of *William* *Land* late Archbishop of *Canterbury*, to pay publick Debts and Damages.

9. *Qualification.*

1. *Branch.* That two full parts in three, to be divided of all the Estates of the Members of either House of Parliament who have not only deserted the Parliament, but have also Voted both Kingdoms Traitors, and have not rendred themselves before the first of *December* 1645. shall be taken and employed for the payment of the publick Debts and Damages of the Kingdom.

2. *Branch.* That two full parts in three, to be divided of the Estates of such late Members of either House of Parliament as sate in the unlawful Assembly at *Oxford*, & shall not have rendred themselves before the first of *December* 1645. shall be taken and employed for the payment of the publick Debts and Damages of the Kingdom.

3. *Branch.* That one full moiety of the Estates of such Persons, late Members of either of the Houses of Parliament, who have deserted the Parliament, and adhered to the Enemies thereof, and shall not have rendred themselves before the first of *Decemb.* 1645. shall be taken and employed for the payment of the publick Debts and Damages of the Kingdom.

10. *Qualification.*

That a full third part on the value of the Estates of all Judges and Officers towards the Law, Common or Civil, and of all Serjeants, Councillours and Attorneys, Doctors, Advocates and Proctors of the Law, Common or Civil; and of all Bishops, Clergy-men, Masters and Fellows of any College or Hall in either of the Universities, or elsewhere; and of all Masters of Schools or Hospitals, and of Ecclesiastical Persons, who have deserted the Parliament, and adhered to the Enemies thereof, and have not rendered themselves before the first of *December* 1645. shall be taken and employed for the payment of the publick Debts and Damages of the Kingdom.

That a full sixth part on the full value of the Estates of the Persons excepted in the sixth Qualification, concerning such as have been actually in Arms against the Parliament, or have counselled or voluntarily assisted the Enemies thereof, and are disabled according to the said Qualification, to be taken and employed for the payment of the publick Debts and Damages of the Kingdom.

11. *Qualification.*

That the Persons and Estates of all common Souldiers and others of the Kingdom of *England*, who in Lands or Goods be not worth two hundred pounds Sterling, and the Persons and Estates of all common Souldiers and others of the Kingdom of *Scotland*, who in Lands or Goods be not worth one hundred pounds Sterling, be at liberty and discharged.

1. *Branch.* This Proposition to stand as to the *English*; and as to the *Scots* likewise, if the Parliament of *Scotland* or their Commissioners shall so think fit.

2. *Branch.* That the first of *May* last is now the day limited for the persons to come in that are comprised within the former Qualification.

That an Act be passed, whereby the Debts of the Kingdom and the Persons of Delinquents and the value of their Estates may be known: and which Act shall appoint in what manner the Confiscations and Proportions before mentioned may be levied and applied to the discharge of the said Engagements.

The like for the Kingdom of *Scotland*, if the Estates of Parliament, or such as shall have power from them, shall think fit.

XVII. That an Act of Parliament be passed, to declare and make void the Cessation of *Ireland*, and all Treaties and Conclusions of Peace, or any Articles thereupon with the Rebels, without Consent of both Houses of Parliament; and to settle the Prosecution of the Warre of *Ireland* in both Houses of the Parliament of *England*, to be managed by them; and the King to assist, and to doe no Act to discountenance or molest them therein.

That Reformation of Religion according to the Covenant be settled in the Kingdom of *Ireland* by Act of Parliament, in such manner as both Houses of the Parliament of *England* have agreed, or shall agree upon after Consultation had with the Assembly of Divines here.

That

That the Deputy or chief Governour, or other Governours of *Ireland*, and the Presidents of the severall Provinces of that Kingdom, be nominated by both the Houses of the Parliament of *England*, or in the Intervalls of Parliament, by such Committees of both Houses of Parliament as both Houses of the Parliament of *England* shall nominate and appoint for that purpose; and that the Chancellour or Lord Keeper, L^d Treasurer, Commissioners of the great Seal or Treasury, L^d Warden of the Cinque-ports, Chancellour of the Exchequer and Dutchy, Secretaries of State, Master of the Rolls, Judges of both Benches, and Barons of the Exchequer of the Kingdoms of *England* and *Ireland*, and the Vice-Treasurer and Treasurers at Warres of the Kingdom of *Ireland*, be nominated by both Houses of the Parliament of *England*, to continue *quamdiu se bene gesserint*, and in the Intervalls of Parliament by the fore-mentioned Committees, to be approved or disallowed by both Houses at their next sitting.

The like for the Kingdom of *Scotland*, concerning the nomination of the Lords of the Privy Council, Lords of Session and Exchequer, Officers of State and Justice General, in such manner as the Estates of the Parliament there shall think fit.

XVIII. That the *Militia* of the City of *London* and Liberties thereof may be in the ordering and government of the Lord Maior, Aldermen and Commons in Common-Council assembled, or such as they shall from time to time appoint, (whereof the Lord Maior and Sheriffs for the time being to be three) to be employed and directed from time to time in such manner as shall be agreed on and appointed by both Houses of Parliament.

That no Citizen of the City of *London*, nor any of the Forces of the said City, shall be drawn forth or compelled to goe out of the said City or Liberties thereof for Military service, without their own free Consent.

That an Act be passed for the granting and confirming of the Charters, Customes, Liberties, and Franchises of the City of *London*, notwithstanding any Non-user, Misuser, or Abuser.

That the Tower of *London* may be in the Government of the City of *London*, and the chief Officer and Governour thereof from time to time be nominated and removeable by the Common-Council. And for prevention of inconveniences w^h may happen by the long intermission of Common-Councils, it is desired that there may be an Act, that all by-Laws and Ordinances already made, or hereafter to be made, by the Lord Maior, Aldermen and Commons in Common-Council assembled, touching the calling, continuing, directing and regulating the same Common-Councils, shall be as effectual in Law to all Intents and Purposes as if the same were particularly Enacted by the Authority of Parliament: and that the Lord Maior, Aldermen and Commons in Common-Council, may adde to or repeal the said Ordinances from time to time as they shall see cause.

That such other Propositions as shall be made for the City, for their further Safety, Welfare and Government, and shall be approved of by both Houses of Parliament, may be granted and confirmed by Act of Parliament.

XIX. That all Grants, Commissions, Presentations, Writs, Process, Proceedings, and other things passed under the Great Seal of *England* in the custody of the Lords and other Commissioners appointed by both Houses of Parliament for the custody thereof, be, and by Act of Parliament with the Royal Assent shall be declared and Enacted to be of like full force and effect to all intents and purposes, as the same or like Grants, Commissions, Presentations, Writs, Process, Proceedings and other things under any Great Seal of *England* in any time heretofore were or have been; and that for time to come the said Great Seal now remaining in custody of the said Commissioners continue and be used for the Great Seal of *England*: and that all Grants, Commissions, Presentations, Writs, Process, Proceedings, and other things whatsoever passed under or by authority of any other Great Seal since the two and twentieth day of *May Anno Dom. 1642.* or hereafter to be passed, be invalid and of no effect to all intents and purposes; except such Writs, Process and Commis-
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ons, as being passed under any other Great Seal then the said Great Seal in the Custody of the Commissioners aforesaid, on or after the said two and twentieth day of *May*, and before the 28. day of *November*, *Anno Dom.* 1643. were afterward proceeded upon, returned into, or put in ure in any the Kings Courts at *Westminster*; and except the Grant to Master Justice *Bacon* to be one of the Justices of the Kings Bench; and except all Acts and Proceedings by virtue of any such Commissions of *Gold-delivery*, *Affize* and *Nisi prius*, or *Oyer* and *Terminer*, passed under any other Great Seal then the Seal aforesaid in custody of the said Commissioners before the first of *October* 1642.

And that all Grants of Offices, Lands, Tenements or Hereditaments made or passed under the Great Seal of *Ireland* unto any Person or Persons, Bodies Politick or Corporate, since the Cessation made in *Ireland* the fifteenth day of *September* 1643. shall be null and void: and that all Honours and Titles conferred upon any Person or Persons in the said Kingdom of *Ireland* since the said Cessation shall be null and void.

His MAJESTIES Answer to the Propositions of both Houses. Newcastle, Aug. 1. 1646.

To the Speaker of the House of Peers *pro tempore*, to be communicated to the two Houses of Parliament at *Westminster*.

CHARLES R.

THE Propositions tendered to His Majesty by the Commissioners from the Lords and Commons assembled in the Parliament of *England* at *Westminster*, and the Commissioners of the Parliament of *Scotland*, (to which the Houses of Parliament have taken twice so many Months for deliberation as they have assigned Dayes for His Majesties Answer) do import so great Alterations in Government both in the Church and Kingdom, as it is very difficult to return a particular and positive Answer before a full Debate, wherein these Propositions, and the necessary Explanations, true sense and Reasons thereof be rightly weighed and understood, and that His Majesty upon a full view of the whole Propositions may know what is left, as well as what is taken away and changed: In all which He findes (upon discourse with the said Commissioners) that they are so bound up from any capacity either to give Reasons for the Demands they bring, or to give ear to such Desires as His Majesty is to propound; as it is impossible for Him to give such a present judgement of and Answer to these Propositions, whereby He can answer to God, that a safe and well-grounded Peace will
 ensue

ensue (which is evident to all the World can never be, unless the just Power of the Crown, as well as the Freedom and Propriety of the Subject, with the just Liberty and Privileges of the Parliament, be likewise settled.) To which end His Majesty desires and proposeth to come to *London*, or any of His Houses thereabouts, upon the Publick Faith and security of the two Houses of Parliament and the *Scotch* Commissioners, That He shall be there with Freedom, Honour and Safety; where by His Personal Presence He may not onely raise a mutual Confidence betwixt Him and His People, but also have these Doubts cleared, and these Difficulties explained unto Him, which He now conceives to be destructive to His just Regal Power, if He shall give a full Consent to these Propositions as they now stand.

As likewise that He may make known to them such His reasonable Demands as He is most assured will be very much conducive to that Peace which all good men desire and pray for, by the settling of Religion, the just Privileges of Parliament, with the Freedom and Propriety of the Subject: and His Majesty assures them, that as He can never condescend unto what is absolutely destructive to that just Power which by the Laws of God and the Land He is born unto; so He will chearfully grant and give His Assent unto all such Bills, at the desire of His two Houses, or reasonable Demands for *Scotland*, which shall be really for the good and Peace of His People, not having regard to His own particular (much less of any bodies else) in respect of the Happiness of these Kingdoms. Wherefore His Majesty conjures them as Christians, as Subjects, and as men who desire to leave a good name behinde them, that they will so receive and make use of this Answer, that all issues of Blood may be stopped, and these unhappy Distractions peaceably settled.

Newcastle, August 1. 1646.

POST-SCRIPT.

Upon assurance of a happy Agreement, His Majesty will immediately send for the Prince His Son, absolutely expecting His perfect Obedience to return into this Kingdom.

His

*His MAJESTIES Message to both Houses, from
Newcastle, Dec. 20. 1646.*

To the Speaker of the House of Peers *pro tempore.*, to be communicated to the Lords and Commons of the Parliament of *England* assembled at *Westminster*, and to the Commissioners of the Parliament of *Scotland* at *London*.

CHARLES R.

HIS Majesties thoughts being alwaies sincerely bent to the Peace of His Kingdoms, was and will be ever desirous to take all wayes which might the most clearly make appear the Candor of His Intentions to His People; and to this end could finde no better way then to propose a Personal free Debate with His two Houses of Parliament upon all the present Differences: yet finding, very much against His Expectations, that this Offer was lay'd aside, His Majesty bent all His thoughts to make His Intentions fully known by a particular Answer to the Propositions delivered to Him in the name of both Kingdoms 24. *July* last. But the more He endeavoured it, He more plainly saw that any Answer He could make would be subject to mis-informations and misconstructions, which upon His own Paraphrases and Explanations He is most confident will give so good satisfaction, as would doubtless cause a happy and lasting Peace. Left therefore that good Intentions may produce ill Effects, His Majesty again proposeth, and desires again to come to *London*, or any of His Houses thereabouts, upon the Publick Faith and Security of His two Houses of Parliament and the *Scotch* Commissioners, that He shall be there with Honour, Freedom and Safety; where, by His Personal Presence, He may not onely raise a mutual Confidence betwixt Him and His People, but also have those Doubts cleared and those Difficulties explained to Him, without which He cannot (but with the aforesaid mischievous Inconveniencies) give a particular Answer to the Propositions; and with which He doubts not but so to manifest His real Intentions for the settling of Religion, the just Privileges of Parliament, with the Freedom and Propriety of the Subject, that it
shall

shall not be in the power of wicked and malicious men to hinder the establishing of that firm Peace which all honest men desire: assuring them, that as He will make no other Demands but such as He believes confidently to be just and much conducing to the Tranquillity of His People; so He will be most willing to condescend to them in whatsoever shall be really for their good and Happiness. Not doubting likewise but you will also have a due regard to maintain the just Power of the Crown, according to your many Protestations and Professions. For certainly, except King and People have reciprocal care each of other, neither can be happy.

To conclude, 'Tis your KING Who desires to be heard (the which if refused to a Subject by a King, He would be thought a Tyrant for it) and for that end which all men profess to desire. Wherefore His Majesty conjures you, as you desire to shew your selves really what you profess, even as you are good Christians and Subjects, that you will accept this His Offer, which He is confident God will so bless, that it will be the readiest means by which these Kingdoms may again become a comfort to their Friends, and a terrour to their Enemies.

Newcastle, 20. Decemb. 1646.

*His MAJESTIES Quæres to the Scots Commissioners
upon Thursday the 14. of January, 164⁶₇.*

IT is a received Opinion by many, That Ingagements, Acts, or Promises of a restrained Person, are neither valid nor obligatory. How true or false this is I will not now dispute: But I am sure, if I be not free, I am not fit to answer your or any Propositions. Wherefore you should first resolve Me in what state I stand (as in relation to Freedom) before I can give you any other Answer. (The Reason of this My Question the Governour can best resolve you.) But if you object the loss of time and urgency of it; certainly in one respect it presses none so much as My self: which makes Me also think it necessary (that I be not to seek what

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614 *The Scots Commissioners Answer, with His MAJESTIES Reply.*

to doe when this Garrison shall be surrendred up) to demand of you, in case I goe into Scotland, if I shall be there with Honour, Freedom and Safety, or how. Being ready to give you a farther and more particular Answer, how soon you shall have resolved these two *Quæres*.

*The Scots Commissioners Answer to His MAJESTIES
Quæres, Thursday the 14. of Jan. 164⁶.*

I. **T**O the First, In what state You stand as in relation to Freedom; The Parliaments of both Your Kingdoms have given such Orders and Directions as they have thought fittest for the good and safety of Your Majesty and the Kingdoms, to the General and Governour.

II. To Your Majesties Second *Quære*, of Your going into Scotland, we shall humbly desire That we may not now be put to give any Answer: But if Your Majesty shall either deny or delay Your Assent to the Propositions, we are in that case to represent to Your Majesty the Resolutions of the Parliament of England.

His MAJESTIES Reply to the Scots Commissioners.

I Know very well, That the General and Governour have received Orders concerning Me; but the question is, Into what state those Orders put Me (as relating to Freedom.) To which you have either Power to Answer, or not. If you have, then Answer Me; otherwise, send to those who can.

And so for my Second *Quære*.

His

*His MAJESTIES Message to both Houses, in further
Answer to their Propositions.*

From Holdenby, May 12. 1647.

For the Speaker of the Lords House *pro tempore*, to be communicated to the Lords and Commons in the Parliament of *England* at *Westminster*, and the Commissioners of the Parliament of *Scotland*.

CHARLES R.

AS the daily expectation of the coming of the Propositions hath made His Majesty this long time to forbear giving His Answer unto them; so the appearance of their sending being no more (for any thing He can hear) then it was at His first coming hither, notwithstanding that the Earl of *Lauderdale* hath been at *London* above these ten dayes, (whose not coming was said to be the onely stop) hath caused His Majesty thus to anticipate their coming to Him. And yet considering His Condition, that His Servants are denied access to Him, all but very few, and those by appointment, not His own election; and that it is declared a Crime for any but the Commissioners, or such who are particularly permitted by them, to converse with His Majesty, or that any Letters should be given to or received from Him; may He not truly say, that He is not in case fit to make Concessions or give Answers, since He is not master of those ordinary Actions which are the undoubted Rights of any free-born man, how mean soever his birth be? And certainly He would still be silent as to this Subject until His Condition were much mended, did He not preferre such a right understanding betwixt Him and His Parliaments of both Kingdoms which may make a firm and lasting Peace in all His Dominions, before any particular of His own or any earthly Blessing: and therefore His Majesty hath diligently employed His utmost Endeavours for divers moneths past, so to inform His Understanding and to satisfie His Conscience, that He might be able to give such Answers to the Propositions as would be most agreeable to His Parliaments; but He ingenuously professes, that notwithstanding all the pains

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that He hath taken therein, the nature of some of them appears such unto Him, that without disclaiming that Reason which God hath given Him to judge by for the good of Him and His People, and without putting the greatest violence upon His own Conscience, He cannot give His Consent to all of them. Yet His Majesty (that it may appear to all the World how desirous He is to give full satisfaction) hath thought fit hereby to express His readiness to grant what He may, and His willingness to receive from them, and that Personally, (if His two Houses at *Westminster* shall approve thereof) such further information in the rest as may best convince His Judgement, and satisfy those Doubts which are not yet clear unto Him: desiring them also to consider, that if His Majesty intended to wind Himself out of these Troubles by indirect means, were it not easie for Him now readily to consent to what hath or shall be proposed unto Him, and afterwards chuse His time to break all, alleging, that forc'd Concessions are not to be kept? Surely He might, and not incur a hard censure from some indifferent men. But Maxims in this kind are not the guides of His Majesties actions: for He freely and clearly avows, that He holds it unlawful for any man, and most base in a King, to recede from His Promises for having been obtained by force or under restraint.

Wherefore His Majesty not only rejecting those acts which He esteems unworthy of Him, but even passing by that which He might well insist upon, a point of Honour in respect of His present Condition, thus answers the first Proposition; That upon His Majesties coming to *London*, He will heartily joyn in all that shall concern the Honour of His two Kingdoms, or the Assembly of the States of *Scotland*, or of the Commissioners or Deputies of either Kingdom, particularly in those things which are desired in that Proposition; upon confidence that all of them respectively with the same tenderness will look upon those things which concern His Majesties Honour.

In answer to all the Propositions concerning Religion, His Majesty proposeth, that He will confirm the Presbyterial Government, the Assembly of Divines at *Westminster*, and the Directory, for three years, being the time set down by the two Houses, so that His Majesty and His Household be not hindered from that Form of God's
Service

Service which they formerly have: And also that a free Consultation and Debate be had with the Divines at *Westminster* (twenty of His Majesties nomination being added unto them) whereby it may be determined by His Majesty and the two Houses how the Church shall be governed after the said three years, or sooner, if Differences may be agreed. Touching the Covenant, His Majesty is not yet therein satisfied, and desires to respite His particular Answer thereunto until His coming to *London*; because it being a matter of Conscience, He cannot give a Resolution therein till He may be assisted with the Advice of some of His own Chaplains (which hath hitherto been denied Him) and such other Divines as shall be most proper to inform Him therein: and then He will make clearly appear both His zeal to the Protestant Profession and the Union of these two Kingdoms, which He conceives to be the main drift of this Covenant.

To the Seventh and Eighth Propositions His Majesty will consent.

To the Ninth His Majesty doubts not but to give good satisfaction, when He shall be particularly informed how the said Penalties shall be believed and disposed of.

To the Tenth His Majesties Answer is, That He hath been always ready to prevent the practices of Papists, and therefore is content to pass an Act of Parliament for that purpose; and also that the Laws against them be duly executed.

His Majesty will give His consent to the Act for the due observation of the Lord's day, for the suppressing of Innovations, and those concerning the preaching of God's Word, and touching Non-residence and Pluralities: and His Majesty will yield to such Act or Acts as shall be requisite to raise moneys for the payment and satisfying all publick Debts, expecting also that His will be therein included.

As to the Proposition touching the *Militia*, though His Majesty cannot consent unto it *in terminis* as it is proposed, because thereby He conceives He wholly parts with the power of the Sword entrusted to Him by God and the Laws of the Land, for the Protection and Government of His People, thereby at once divesting Himself and dis-inheriting His Posterity of that Right and Prerogative of the

Crown which is absolutely necessary to the Kingly Office, and so weaken Monarchy in this Kingdom, that little more then the name and shadow of it will remain; yet if it be onely security for the preservation of the Peace of this Kingdom after the unhappy Troubles, and the due performance of all the Agreements which are now to be concluded, which is desired, (which His Majesty always understood to be the case, and hopes that herein He is not mistaken) His Majesty will give abundant satisfaction: To which end He is willing by Act of Parliament, That the whole power of the *Militia* both by Sea and Land for the space of ten years be in the hands of such Persons as the two Houses shall nominate, giving them power during the said term to change the said Persons, and substitute others in their places at pleasure; and afterwards to return to the proper chanel again, as it was in the times of Queen *Elizabeth* and King *James* of blessed memory.

And now His Majesty conjures His two Houses of Parliament, as they are *English*-men and lovers of Peace, by the Duty they owe to His Majesty their King, and by the bowels of Compassion they have to their fellow-Subjects, that they will accept of this His Majesties Offer, whereby the joyful news of Peace may be restored to this languishing Kingdom.

His Majesty will grant the like to the Kingdom of *Scotland*, if it be desired; and agree to all things that are propounded touching the conserving of Peace betwixt the two Kingdoms.

Touching *Ireland* (other things being agreed) His Majesty will give satisfaction therein.

As to the mutuall Declarations proposed to be established in both Kingdoms by Act of Parliament, and the Modifications, Qualifications and Branches which follow in the Propositions, His Majesty onely professes that He doth not sufficiently understand, nor is able to reconcile many things contained in them: but this He well knoweth, that a general Act of Oblivion is the best bond of Peace; and that after Intestine Troubles, the wisdom of this and other Kingdoms hath usually and happily in all Ages granted generall Pardons, whereby the numerous discontentments of many Persons and Families, otherwise exposed to Ruine, might not become fewel to new Disorders, or seeds to future Troubles. His Majesty there-
fore

fore desires that His two Houses of Parliament would seriously descend into these Considerations, and likewise tenderly look upon His condition herein, and the perpetuall dishonour that must cleave to Him, if He shall thus abandon so many Persons of Condition and Fortune that have engaged themselves with and for Him out of a sense of Duty; and propounds as a very acceptable testimony of their Affection to him, That a general Act of Oblivion and free Pardon be forthwith passed by Act of Parliament.

Touching the new Great Seal, His Majesty is very willing to confirm both it and all the Acts done by virtue thereof until this present time, so that it be not thereby pressed to make void those Acts of His done by virtue of His Great Seal, which in Honour and Justice He is obliged to maintain; and that the future government thereof may be in His Majesty, according to the due course of Law.

Concerning the Officers mentioned in the 19. Article, His Majesty when He shall come to *Westminster* will gratifie His Parliament all that possibly He may, without destroying the alterations which are necessary for the Crown.

His Majesty will willingly consent to the Act for the confirmation of the Privileges and Customes of the City of *London*, and all that is mentioned in the Propositions for their particular advantage.

And now that His Majesty hath thus far endeavoured to comply with the desires of His two Houses of Parliament, to the end that this Agreement may be firm and lasting, without the least face or question of restraint to blemish the same, His Majesty earnestly desires presently to be admitted to His Parliament at *Westminster* with that Honour which is due to their Sovereign, there solemnly to confirm the same, and legally to pass the Acts before mentioned, and to give and receive as well satisfaction in all the remaining particulars, as likewise such other pledges of mutual Love, Trust and Confidence, as shall most concern the good of Him and His People: Upon which happy Agreement His Majesty will dispatch His Directions to the Prince His Son to return immediately to Him, and will undertake for his ready Obedience thereunto.

Holdenby, May 12. 1647.

(G g g 4)

The

The Londoners Petition and Engagement.

MDCXLVII. ^{Jul.} To the right Honorable the Lord Maior, the right Worshipful the Aldermen and Commons of the City of London in the Common or Guild-Hall of the City of London assembled, The humble Petition of the Citizens, Commanders, Officers and Souldiers of the Trained Bands and Auxiliaries, the Young men and Apprentices of the Cities of London and Westminster, Sea-Commanders, Sea-men and Water-men, together with divers other Commanders, Officers and Souldiers within the Line of Communication and Parishes mentioned in the weekly Bills of Mortality,

Sheweth,

THat your Petitioners (taking into serious consideration how Religion, His Majesties Honour and Safety, the Privileges of Parliament and Liberties of the Subject are at present greatly endangered and like to be destroyed; and also sadly weighing with our selves what means might likely prove the most effectual to procure a firm and lasting Peace, without a further effusion of Christian *English* blood) have therefore entred into a solemn Engagement, which is hereunto annexed, and do humbly and earnestly desire that this whole City may joyn together by all lawful and possible means, as one man, in hearty endeavours for His Majesties present coming up to His two Houses of Parliament with Honour, Safety and Freedom, and that without the nearer approach of the Army, there to confirm such things as He hath granted in His Message of the 12. of *May* last, in answer to the Propositions of both Kingdoms; and that by a Personal Treaty with His two Houses of Parliament, and the Commissioners of the Kingdom of *Scotland*, such things as are yet in difference may be speedily settled, and a firm and lasting Peace established. All which we desire may be presented to both Houses of Parliament from this Honorable Assembly.

And we shall pray, &c.

A solemn Engagement of the Citizens, Commanders, Officers and Souldiers of the Trained Bands and Auxiliaries, the Young men and Apprentices of the Cities of London and Westminster, Sea-Commanders, Sea-men and Water-men, together with divers other Commanders, Officers and Souldiers within the Line of Communication, and Parishes mentioned in the weekly Bill of Mortality.

WHereas we have entred into a solemn League and Covenant for Reformation and Defence of Religion, the Honour and Happines of the King, and the Peace and Safety of the three Kingdoms of *England*, *Scotland* and *Ireland*, all which we do evidently perceive not only to be endangered, but ready to be destroyed: we do therefore in pursuance of our said Covenant, Oath of Allegiance, Oath of every Free-man of the Cities of *London* and *Westminster*, and Protestations, solemnly engage our selves, and vow unto Almighty God, that we will to the utmost of our power cordially endeavour that His Majesty may speedily come to His two Houses of Parliament, with Honour, Safety and Freedom, (and that without the nearer approach of the Army,) there to confirm such things as He hath granted in His Message of the 12. of *May* last, in Answer to the Propositions of both Kingdoms; and that by a Personal Treaty with His two Houses of Parliament, and the Commissioners of the Kingdom of *Scotland*, such things as are yet in difference may be speedily settled, and a firm and lasting Peace established. For effecting whereof we do protest

test and re-oblige our selves, as in the presence of God the searcher of all hearts, with our Lives and Fortunes to endeavour, what in us lies, to preserve and defend His Majesties Royal Person and Authority, the Privileges of Parliament and Liberties of the Subject, in their full and constant freedom, the Cities of *London* and *Westminster*, Lines of Communication, and Parishes mentioned in the weekly Bills of Mortality, and all others that shall adhere with us to the said Covenant, Oath of Allegiance, Oath of every Free-man of *London* and *Westminster*, and Protestation: Nor shall we by any means admit, suffer or endure any kind of Neutrality in this Common Cause of God, the King and Kingdom, as we do expect the Blessing of Almighty God, whose help we crave, and wholly devolve our selves upon, in this our Undertaking.

A Declaration of the Lords and Commons assembled in Parliament.

Die Sabbathi, 24. Julii, 1647.

THE Lords and Commons having seen a printed Paper intituled, *A Petition to the right Honorable the Lord Maior, the right Worshipful the Aldermen and Commons of the City of London in the Common or Guild-Hall of the City of London assembled*, under the name of divers *Citizens, Commanders, Officers & Souldiers of the Trained Bands, Auxiliaries & others, Young men & Apprentices, Sea-Commanders, Sea-men and Water-men*, together with a dangerous *Engagement* of the same persons by Oath and Vow, concerning the King's present coming to the Parliament upon Terms farre different from those which both Houses, after mature deliberation, have declared to be necessary for the good and safety of this Kingdom, casting reflexions upon the Proceedings both of the Parliament and Army, and tending to the imbroiling the Kingdom in a new Warre; and the said Lords and Commons taking notice of great endeavours used by divers ill-affected persons to procure Subscriptions thereunto, whereby well-meaning people may be misled; do therefore declare, That whosoever, after publication or notice hereof, shall proceed in, or promote, or set his name to, or give consent that his name be set unto, or any way joyn in the said Engagement, shall be deemed and adjudged guilty of High Treason, and shall forfeit Life and Estate as in cases of High Treason accustomed.

H. Elsyng, Cler. Par. Dom. Com.

Die Luna, 26. Julii, 1647.

BE it Ordained by the Lords and Commons in Parliament assembled, That the Declaration of the twenty fourth of this instant *July*, which declares all those Traitors, and so to forfeit Life and Estate, who shall after publication thereof act thereupon to get Subscriptions, be Null and Void, any thing in the said Declaration to the contrary notwithstanding.

Joh. Browne, Cler. Par.
Hen. Elsyng, Cler. Par. Dom. Com.

Die

622 His MAJESTIES Declaration against Warre.

Die Luna, 26. Julii, 1647.

Resolved upon the Question,
That His Majesty shall come to *London*.

Die Saturni, 31. Julii, 1647.

Resolved upon the Question,
That the King's Majesty come to one of His Houses nearer *London*, that Propositions may be sent, and Adresse made to His Majesty (from both Houses of the Parliament of *England*, and the Kingdom of *Scotland*) for Peace.

MDCXLVII. His MAJESTIES Declaration and Profession, disavowing
any Preparations in Him to levy Warre against His two
Houses of Parliament.

CHARLES R.

There having been many Rumors spread and Informations given, which may have induced many to believe that We intend to make Warre against Our Parliament :

We Profess before God, and Declare to all the World, That We alwaies have, and do abhorre all such Designs; and desire all Our Nobility and Commoners who are here upon the place to declare, Whether they have not been Witnesses of Our frequent and earnest Declarations and Professions to this purpose; whether they see any colour of Preparations or Counsels that might reasonably beget a belief of any such Design; and whether they be not fully perswaded that We have no such Intention, but that all Our Endeavours (according to Our many Professions) tend to the firm and constant settlement of the true Protestant Religion, the just Privileges of Parliaments, the Liberty of the Subject, the Law, Peace, and Prosperity of this Kingdom.

The

The Heads of the Proposals agreed upon by his Excellency MDC XLVII,
Aug. 1.
Sir THOMAS FAIRFAX, and the Council of the Army,
to be tendred to the Commissioners of Parliament residing with
the Army, and with them to be treated on by the Commissioners
of the Army.

Containing the particulars of their Desires in pursuance of their former Declarations and Papers, in order to the clearing and securing of the Rights and Liberties of the Kingdom, and the settling a just and lasting Peace.

To which are added some further particular Desires (for the removing and redressing of divers present pressing Grievances) being also comprized in, or in necessary pursuance of their former Representations and Papers appointed to be Treated upon.

I. **T**Hat (the things hereafter proposed being provided for by this Parliament) a certain period may (by Act of Parliament) be set for the ending of this Parliament, (such period to be within a year at most ;) and in the same Act provision to be made for the succession and constitution of Parliaments in future as followeth.

1. That Parliaments may *Biennially* be called, and meet at a certain day, with such provision for the certainty thereof as in the late Act was made for *Triennial* Parliaments, and what further other provision shall be found needful by the Parliament to reduce it to more certainty: And upon the passing of this, the said Act for *Triennial* Parliaments to be repealed.

2. Each *Biennial* Parliament to sit 120. days certain (unless adjourned or dissolved sooner by their own Consent ;) afterwards to be adjournable or dissolvable by the King: and no Parliament to sit past 240. days from their first meeting, or some other limited number of days now to be agreed on, upon the expiration whereof, each Parliament to dissolve of course, if not otherwise dissolved sooner.

3. The King, upon advice of the Council of State, in the Intervalls betwixt *Biennial* Parliaments, to call a Parliament extraordinary; provided it meet above seventy days before the next *Biennial* day, and be dissolved at least sixty days before the same, so as the course of *Biennial* Elections may never be interrupted.

4. That this Parliament, and each succeeding *Biennial* Parliament, at or before adjournment or dissolution thereof, may appoint Committees to continue during the Intervall, for such purposes as are in any of these Proposals referr'd to such Committees.

5. That the Elections of the Commons for succeeding Parliaments may be distributed to all Counties, or other parts or divisions of the Kingdom, according to some rule of equality or proportion, so as all Counties may have a number of Parliament-Members allowed to their choice proportionable to the respective Rates they bear in the common Charges and burthens of the Kingdom, according to some other rule of equality or proportion, to render the House of Commons (as near as may be) an equall *Representative* of the whole; and in order thereunto, that a present consideration be had to take off the Elections of Burgesses for poor, decayed, or inconsiderable Towns, and to give some present addition to the number of
 Parliament-

Parliament-Members for great Counties, that have now less then their due proportion, to bring all (at present) as near as may be to such a rule of proportion as aforesaid.

6. That effectually provision be made for future freedom of Elections, and certainty of due Returns.

7. That the House of Commons alone have the power from time to time to set down further Orders and Rules for the Ends expressed in the two last preceding Articles, so as to reduce the Elections of Members for that House to more and more perfection of equality in the distribution, freedom in the Election, order in the proceeding thereto, and certainty in the Returns; which Orders and Rules (in that case) to be as Laws.

8. That there be a liberty for entering Dissents in the House of Commons, with provision, that no Member be censurable for ought said or voted in the House, further then to exclusion from that Trust, and that onely by the judgement of the House it self.

9. That the Judicial Power, or power of finall Judgement in the Lords and Commons, (and their power of Exposition and Application of Law, without further Appeal) may be cleared: and that no Officer of Justice, Minister of State, or other person adjudged by them, may be capable of Protection or Pardon from the King, without their Advice and Consent.

10. That the Right and Liberty of the Commons of *England* may be cleared and vindicated as to a due Exemption from any Judgement, Triall, or other Proceeding against them by the House of Peers, without the concurring Judgement of the House of Commons: as also from any other Judgement, Sentence, or Proceeding against them, other then by their Equals, or according to the Law of the Land.

11. The same Act to provide, that Grand-Jury-men may be chosen by and for severall parts or divisions of each County respectively, in some equall way (and not remain, as now, at the discretion of an Under-sheriff to be put on or off:) and that such Grand-Jury-men for their respective Counties may at each Assize present the names of persons to be made Justices of Peace, from time to time, as the Country hath need for any to be added to the Commission, and at the Summer Assize to present the names of three persons, out of whom the King may prick one to be Sheriff for the next year.

II. For the future security to Parliaments, and the *Militia* in generall in order thereunto, that it be provided by Act of Parliament,

1. That the power of the *Militia* by Sea and Land, during the space of ten years next ensuing, shall be ordered and disposed by the Lords and Commons assembled and to be assembled in the Parliament or Parliaments of *England*, or by such persons as they shall nominate and appoint for that purpose from time to time during the said space.

2. That the said Power shall not be ordered, disposed or exercised by the Kings Majesty that now is, or by any Person or Persons by any Authority derived from Him, during the said space, or at any time hereafter by His said Majesty, without the Advice and Consent of the said Lords and Commons, or of such Committees or Councell in the Intervalls of Parliament as they shall appoint.

3. That during the same space of ten years, the said Lords and Commons may by Bill or Ordinance raise and dispose of what Moneys and for what Forces they shall from time to time find necessary, as also for payment of the Publick Debts and Damages, and for all other the Publick uses of the Kingdom.

4. And to the end the temporary Security intended by the three particulars last precedent may be the better assured, it may therefore be provided,

That no Subjects that have been in Hostility against the Parliament in the late Warre, shall be capable of bearing any Office of Power or publick Trust in the Commonwealth during the space of five years, without consent of Parliament or of the Council of State; or to sit as Members or Assistants of either House of Parliament, until the second Bienniall Parliament be past.

III. For

III. For the present form of disposing the *Militia* in order to the Peace and Safety of this Kingdom and the Service of *Ireland*,

1. That there be Commissioners for the Admiralty, a Vice-Admiral and Rere-Admiral, now to be agreed on, with power for the forming, regulating, appointing of Officers, and providing for the Navy, and for ordering the same to and in the ordinary Service of the Kingdom: and that there be a sufficient provision and establishment for Pay and maintenance thereof.

2. That there be a General for Command of the Land-Forces that are to be in pay both in *England*, *Ireland* and *Wales*, both for Field and Garrison.

3. That there be Commissioners in the severall Counties for the standing *Militia* of the respective Counties (consisting of Trained Bands and Auxiliaries not in pay) with power for the proportioning, forming, regulating, training and disciplining of them.

4. That there be a Council of State, with power to superintend and direct the severall and particular powers of the *Militia* last mentioned, for the Peace and safety of this Kingdom and of *Ireland*.

5. That the same Council may have power, as the Kings Privy Council, for and in all forein Negotiations; provided, That the making of Warre or Peace with any other Kingdom or State shall not be without the Advice and Consent of Parliament.

6. That the said power of the Council of State be put into the hands of trusty and able persons, now to be agreed on, and the same persons to continue in that power (*si bene se gesserint*) for a certain Term not exceeding seven years.

7. That there be a sufficient establishment now provided for the Salary Forces both in *England* and *Ireland*, the establishment to continue untill two Moneths after the meeting of the first Biennial Parliament.

IV. That an Act be passed for disposing the great Offices for ten years by the Lords and Commons in Parliament, or by such Committees as they shall appoint for that purpose in the Intervalls, (with submission to the approbation of the next Parliament;) and after ten years, they to nominate three, and the King out of that number to appoint one for the succession, upon any vacancy.

V. That an Act be passed for restraining of any Peers made since the 21. day of May, 1642. or to be hereafter made, from having any power to sit or vote in Parliament, without Consent of both Houses.

VI. That an Act be passed for recalling and making void all Declarations and other Proceedings against the Parliament, or against any that have acted by or under their Authority in the late Warre, or in relation to it: and that the Ordinances for Indemnity may be confirmed.

VII. That an Act be passed for making void all Grants, &c. under the Great Seal that was conveyed away from the Parliament, since the time that it was so conveyed away (except as in the Parliaments Propositions) and for making those valid that have been or shall be passed under the Great Seal made by the Authority of both Houses of Parliament.

VIII. That an Act be passed for Confirmation of the Treaties between the two Kingdoms of *England* and *Scotland*,, and for appointing Conservators of the Peace betwixt them.

IX. That the Ordinance for taking away the Court of Wards and Liveries be confirmed by Act of Parliament: Provided His Majesties Revenue be not damnified therein, nor those that last held Offices in the same left without reparation some other way.

X. An Act to declare void the Cessation of *Ireland*, &c. and to leave the prosecution of that Warre to the Lords and Commons in the Parliament of *England*.

XI. An Act to be passed to take away all Coercive power, authority and Jurisdiction of Bishops and all other Ecclesiastical Officers whatsoever, extending to any Civil Penalties upon any; and to repeal all Laws whereby the Civil Magistracy hath been or is bound, upon any Ecclesiastical Censure, to proceed (*ex officio*) unto any Civil Penalties against any persons so censured.

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XII. That

XII. That there be a repeal of all Acts, or Clauses in any Act, enjoying the use of the Book of Common Prayer, and imposing any penalties for neglect thereof; as also of all Acts, or Clauses in any Act, imposing any penalty for not coming to Church, or for Meetings elsewhere for Prayer or other Religious Duties, exercises or ordinances; and some other provision to be made for discovering of Papists and Popish Recusants, and for disabling of them, and of all Jesuites or Priests, from disturbing the State.

XIII. That the taking of the Covenant be not enforced upon any, nor any penalties imposed upon the Refusers, whereby men might be constrained to take it against their Judgements or Consciences, but all Orders or Ordinances tending to that purpose to be repealed.

XIV. That (the things here before proposed being provided, for settling and securing the Rights, Liberties, Peace and Safety of the Kingdom,) His Majesties Person, His Queen and Royal Issue, may be restored to a Condition of Safety, Honour and Freedom in this Nation, without diminution to their Personal Rights, or further Limitation to the exercise of the Regal Power then according to the particulars aforegoing.

XV. For the matter of Compositions,

1. That a less number out of the Persons excepted in the two first Qualifications, (not exceeding five for the *English*;) being nominated particularly by the Parliament, who (together with the persons in the *Irish* Rebellion, included in the third Qualification) may be reserved to the further Judgement of the Parliament, as they shall find cause, all other excepted persons may be remitted from the exception, and admitted to Composition.

2. That the Rates for all future Compositions may be lessened and limited, not to exceed the several proportions hereafter exprest, respectively: That is to say,

1. For all persons formerly excepted, not above a third part.

2. For the late Members of Parliament, under the first Branch of the fourth Qualification in the Propositions, a fourth part.

3. For other Members of Parliament, in the second and third Branches of the same Qualification, a sixth part.

4. For the persons nominated in the said fourth Qualification and those included in the tenth Qualification, an eighth part.

5. For all others included in the sixth Qualification, a tenth part.

And that real Debts, either upon Record or proved by Witnesses, be considered and abated in the valuation of their Estates in all the cases afore said.

3. That those who shall hereafter come to Compound, may not have the Covenant put upon them as a Condition without which they may not Compound; but in case they shall not willingly take it, they may pass their Compositions without it.

4. That the persons and Estates of all *English*, not worth two hundred pounds in Lands or Goods, be at liberty and discharged: and that the Kings menial Servants, that never took up Armes, but only attended His Person according to their Offices, may be freed from Composition, or to pay (at most) but the proportion of one years Revenue, or a Twentieth part.

5. That in order to the making and perfecting of Compositions at the Rates afore said, the Rents, Revenues, and other Dues and Profits of all sequestred Estates whatsoever, (except the Estates of such persons who shall be continued under exception as before) be from henceforth suspended and detained in the hands of the respective Tenants, Occupants and others from whom they are due, for the space of six moneths following.

6. That the Faith of the Army, or other Forces of the Parliament, given in Articles upon Surrenders to any of the King's Party, may be fully made good; and where any breach thereof shall appear to have been made, full reparation and satisfaction may be given to the parties injured, and the persons offending (being found out) may be compelled thereto.

XVI. That there may be a general Act of Oblivion to extend unto all (except the

the persons to be continued in exception as before) to absolve from all Trespases, Misdemeanours, &c. done in prosecution of the Warre, and from all trouble or prejudice for or concerning the same (after their Compositions past) and to restore them to all Privileges, &c. belonging to other Subjects; provided, as in the fourth particular under the second general Head aforegoing, concerning Security.

And whereas there have been of late strong endeavours and practices of a factious and desperate party to imbroil this Kingdom in a new Warre, and for that purpose to induce the King, the Queen and Prince, to declare for the said Party, and also to excite and stirre up all those of the King's late Party to appear and ingage for the same, which attempts and designs many of the King's Party (out of their desires to avoid further Misery to the Kingdom) have contributed their endeavours to prevent, (as for divers of them we have had particular Assurance;) we do therefore desire that such of the King's Party who shall appear to have expressed, and shall hereafter express, that way their good Affections to the Peace and Welfare of the Kingdom, and to hinder the imbroiling of the same in a new Warre, may be freed and exempted from Compositions, or to pay but one years Revenue, or a Twentieth part.

These Particulars aforegoing are the Heads of such Proposals as we have agreed on, to tend in order to the settling of the Peace of this Kingdom, leaving the Terms of Peace for the Kingdom of *Scotland* to stand as in the late Propositions of both Kingdoms, until that Kingdom shall agree to any alteration.

Next to the Proposals aforefaid for the present settling of a Peace, we shall desire that no time may be lost by the Parliament for dispatch of other things tending to the welfare, ease and just satisfaction of the Kingdom; and in speciall manner,

I. That the just and necessary Liberty of the People, to represent their Grievances and desires by way of Petition, may be cleared and vindicated, according to the fifth Head in the late Representation or Declaration of the Army sent from *S. Albans*.

[Representati-
on of the Army
Jun. 14. 1647.]

II. That (in pursuance of the same Head of the said Declaration) the common Grievances of the People may be speedily considered of, and effectually redressed; and in particular,

1. That the Excise may be taken off from such Commodities whereon the poor people of the Land do ordinarily live; and a certain time to be limited for taking off the whole.

2. That the oppressions and incroachments of Forest Laws may be prevented for future.

3. All Monopolies (old or new) and Restraints to the freedom of Trade to be taken off.

4. That a course may be taken and Commissioners appointed to remedy and rectifie the inequality of Rates lying upon severall Counties, and severall parts of each County, in respect of others, and to settle the proportions for land-rates to more equality throughout the Kingdom; in order to which we shall offer some further particulars, which we hope may be usefull.

5. The present unequal, troublesome and contentious way of Ministers maintenance by Tithes to be considered of, and some Remedy applied.

6. That the rules and course of Law and the Officers of it may be so reduced and reformed, as that all Suits and questions of Right may be more clear and certain in the issues, and not so tedious or chargeable in the proceedings as now; in order to which we shall offer some further particulars hereafter.

7. That Prisoners for Debt or other * Creditors (who have Estates to discharge them) may not by imbracing Imprisonment or any other wayes have advantage to defraud their Creditors, but that the Estates of all men may be some way made liable to their Debts (as well as Tradesmen are by Commissions of Bankrupt) whether they be imprisoned for it or not: and that such Prisoners for Debt

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who

who have not wherewith to pay, or at least do yield up what they have to their Creditors, may be freed from Imprisonment, or some way provided for, so as neither they nor their Families may perish by their Imprisonments.

8. Some provision to be made, that none may be compelled by penalties or otherwise to answer unto Questions tending to the accusing of themselves or their nearest Relations in Criminal causes; and no mans life to be taken away under two Witneses.

9. That consideration may be had of all Statutes, and the Laws or Customes of Corporations, imposing any Oaths, either to repeal, or else to qualifie and provide against the same so farre as they may extend or be construed to the molestation or ensnaring of religious and peaceable people, merely for non-conformity in Religion.

III. That, according to the sixth Head in the Declaration of the Army, the large powers given to Committees or Deputy-Lieutenants during the late times of Warre and Distraction may be speedily taken into consideration, to be recalled and made void; and that such powers of that nature as shall appear necessary to be continued, may be put into a regulated way, and left to as little Arbitrariness as the nature and necessity of the things (wherein they are conversant) will bear.

IV. That (according to the seventh Head in the said Declaration) an effectual course may be taken, that the Kingdom may be righted and satisfied in point of Accounts for the vast summes that have been levied.

V. That provision may be made for payment of Arrears to the Army, and the rest of the Souldiers of the Kingdom who have concurred with the Army in the late desires and proceedings thereof: and in the next place, for payment of the publick Debts and Damages of the Kingdom; and that to be performed first to such persons whose Debts or Damages (upon the publick Account) are great, and their Estates small, so as they are thereby reduced to a difficulty of subsistence. In order to all which, and to the fourth particular last preceding, we shall speedily offer some farther particulars (in the nature of Rules) which we hope will be of good use towards publick satisfaction.

August 1. 1647.

Signed by the appointment of his Excellency Sir *Thomas Fairfax* and the Council of Warre.

Jo. Rushworth, Secret.

Propositions presented to His MAJESTY at Hampton-Court, upon Tuesday the seventh of September 1647. by the Earls of Pembroke and Lauderdale, Sir Charles Erskin, Sir John Holland, S^r John Cooke, S^r James Harrington, M^r Richard Browne, M^r Hugh Kennedy, & M^r Robert Berkley, in the names of the Parliament of England, and in behalf of the Kingdom of Scotland.

May it please Your Majesty,

WE the Lords and Commons assembled in the Parliament of *England*, in the name and on the behalf of the Kingdoms of *England* and *Ireland*, and the Commissioners of the Parliament of *Scotland*, in the name and on the behalf of the Kingdom of *Scotland*, do humbly present unto Your Majesty the humble Desires and Propositions for a safe and well-grounded Peace, agreed upon by the Parliaments

Parliaments of both Kingdoms respectively; unto which We do pray Your Majesties assent; and that they, and all such Bills as shall be tendred to Your Majesty in pursuance of them or any of them, may be established and Enacted for Statutes and Acts of Parliament, by Your Majesties Royal Assent in the Parliaments of both Kingdoms respectively.

[H^eads of the Propositions presented to the Kings Majesty, for a safe and well-grounded Peace.]

[The Propositions being the same with those at New-Castle, we have onely repeated the heads, as we found them.]

1. His Majesty to call in His Declarations and Proclamations against the Parliaments of both Kingdoms.

2. His Majesty to sign the Covenant.

3. To pass a Bill for abolishing Bishops.

[4. To pass a Bill for sale of Bishops Lands.]

5. To confirm the sitting of the Assembly.

6. Religion to be reformed as the Houses agree.

7. Such Uniformity of Religion to be passed in an Act.

8. An Act passed against Popish Recusants.

9. For education of the Children of Papists.

10. For laying Penalties upon Papists.

11. An Act for prevention of Popish practices.

And the like for the Kingdom of Scotland.

12. For the Royal Assent to Acts for the Lords day, for Preaching, against Innovations, regulating Colleges, and for publick Debts and Damages. The like for Scotland.

13. To pass the settling of the Militia and Navy.

14. To null the old Great Seal.

15. For settling of Conservators for the Peace of the Kingdoms.

16. The joynt Declarations, and the Qualifications, against Malignants.

17. An Act to be passed to declare and make void the Cessation of Ireland, and all Treaties and Conclusions of Peace with the Irish Rebels.

18. The settling of the Militia of the City of London.

19. The Great Seal with the Commissioners of Parliament, and all Acts by it, to be made good.

[14. To null all Honors conferred since 1642. by the old Seal.]

His MAJESTIES Answer to the Propositions of both Houses.

Hampton-Court, Sept. 9. 1647.

For the Speaker of the Lords House *pro tempore*, to be communicated to both Houses of the Parliament of England, and the Commissioners of the Kingdom of Scotland.

CHARLES R.

HIS Majesty cannot chuse but be passionately sensible (as He believes all His good Subjects are) of the late great Distractions, and still languishing and unsettled State, of this Kingdom; and He calls God to Witness, and is willing to give testimony to all the World of His readiness to contribute His ut-

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most

most Endeavours for restoring it to a happy and flourishing Condition.

His Majesty having perused the Propositions now brought to Him, findes them the same in effect which were offered to Him at *Newcastle*: To some of which as He could not then consent without violation of His Conscience and Honour; so neither can He agree to others now, conceiving them in many respects more disagreeable to the present condition of Affairs then when they were formerly presented unto Him, as being destructive to the main principal Interests of the Army, and of all those whose Affections concur with them. And His Majesty having seen the Proposals of the Army to the Commissioners from His two Houses residing with them, and with them to be Treated on, in order to the clearing and securing the Rights and Liberties of the Kingdom, and the settling of a just and lasting Peace; to which Proposals as He conceives His two Houses not to be strangers, so He believes they will think, with Him, that they much more conduce to the satisfaction of all Interests, and may be a fitter foundation for a lasting Peace then the Propositions which at this time are tendered unto Him: He therefore propounds (as the best way in His Judgement in order to a Peace) that His two Houses would instantly take into consideration those Proposals, upon which there may be a Personal Treaty with His Majesty, and upon such other Propositions as His Majesty shall make; hoping that the said Proposals may be so moderated in the said Treaty, as to render them the more capable of His Majesties full Concession; wherein He resolves to give full satisfaction unto His People for whatsoever shall concern the settling of the Protestant Profession, with Liberty to tender Consciences, and the securing of the Laws, Liberties and Properties of all His Subjects, and the just Privileges of Parliament for the future. And likewise, by His present deportment in this Treaty, He will make the World clearly judge of His Intentions in matter of future Government. In which Treaty His Majesty will be well pleased (if it be thought fit) that Commissioners from the Army (whose the Proposals are) may likewise be admitted.

His Majesty therefore conjures His two Houses of Parliament, by
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His MAJESTIES Message left at Hampton-Court. 631

the Duty they owe to God and His Majesty their King, and by the bowels of Compassion they have to their fellow-Subjects, both for the relief of their present Sufferings and to prevent future Miseries, that they will forthwith accept of this His Majesties Offer, whereby the joyful news of Peace may be restored to this distressed Kingdom. And for what concerns the Kingdom of *Scotland* mentioned in the Propositions, His Majesty will very willingly Treat upon those particulars with the *Scotch* Commissioners; and doubts not but to give reasonable satisfaction to that His Kingdom.

Given at *Hampton-Court*, the ninth of *September*, 1647.

His MAJESTIES Message to both Houses, left by Him on His Table at Hampton-Court, Nov. 11. 1647.

CHARLES R.

Liberty being that which in all Times hath been, but especially now is, the common Theme and Desire of all men; common Reason shews, That *Kings* less then any should endure *Captivity*. And yet I call God and the World to Witness, with what Patience I have endured a tedious Restraint; which, so long as I had any hopes that this sort of My Suffering might conduce to the Peace of My Kingdoms, or the hindring of more effusion of Blood, I did willingly undergoe: But now finding by too certain proofs, that this My continued Patience would not onely turn to My Personal Ruine, but likewise be of much more prejudice then furtherance to the Publick Good, I thought I was bound, as well by Natural as Political Obligations, to seek my Safety, by Retiring My self for some time from the publick View both of My Friends and Enemies. And I appeal to all indifferent men to judge, if I have not just cause to free My self from the hands of those who change their Principles with their Condition, and who are not ashamed openly to intend the Destruction of the Nobility by taking away their Negative Voice, and with whom the Levelers Doctrine is rather countenanced then punished: and as for their intentions to My Person, their changing and putting more

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strict

strict Guards upon Me, with the discharging most of all those Servants of Mine who formerly they willingly admitted to wait upon Me, does sufficiently declare. Nor would I have this My Retirement misinterpreted; for I shall earnestly and unceasingly endeavour the settling of a safe and well-grounded Peace wherever I am or shall be, and that (as much as may be) without the effusion of more Christian Blood: for which how many times have I desired, pressed to be heard, and yet no care given to Me? And can any Reasonable man think that (according to the ordinary course of affairs) there can be a settled Peace without it; or that God will bless those who refuse to hear their own King? Surely no. Nay, I must further adde, that (besides what concerns My Self) unless all other chief Interests have not only a hearing, but likewise just satisfaction given unto them, (to wit, the Presbyterians, Independents, Army, those who have adhered to Me, and even the Scots) I say there cannot (I speak not of Miracles, it being, in My Opinion, a sinful presumption in such cases to expect or trust to them) be a safe or lasting Peace. Now, as I cannot deny but My Personal Security is the urgent cause of this My Retirement; so I take God to witness, that the Publick Peace is no less before My Eyes: and I can find no better way to express this My Profession, (I know not what a wiser man may doe) then by desiring and urging that all chief Interests may be heard, to the end each may have just Satisfaction. As for example, the Army, (for the rest, though necessary, yet, I suppose, are not difficult to content) ought (in My Judgement) to enjoy the Liberty of their Consciences, have an Act of Oblivion or Indemnity, (which should extend to all the rest of My Subjects) and that all their Arrears should be speedily and duely paid; which I will undertake to doe, so I may be heard, and that I be not hindred from using such Lawful and honest means as I shall chuse. To conclude, let Me be heard with Freedom, Honour and Safety, and I shall instantly break through this Cloud of Retirement, and shew My self really to be *Pater Patriæ*.

Hampton-Court, 11. Novemb. 1647.

His

His MAJESTIES Message to both Houses, with Propositions, Novemb. 17. 1647.

For the Speaker of the Lords House *pro tempore*, to be communicated to the Lords and Commons in the Parliament of *England* at *Westminster*, and the Commissioners of the Parliament of *Scotland*.

CHARLES R.

HIS Majesty is confident that before this time His two Houses of Parliament have received the Message which He left behind Him at *Hampton-Court* the eleventh of this Moneth, by which they will have understood the Reasons which enforced Him to goe from thence, as likewise His constant endeavours for the settling of a safe and well-grounded Peace wheresoever He should be: And being now in a place where He conceives Himself to be at much more Freedom and Security then formerly, He thinks it necessary (not onely for making good of His own Professions, but also for the speedy procuring of a Peace in these languishing and distressed Kingdoms) at this time to offer such grounds to His two Houses for that effect, which upon due examination of all Interests may best conduce thereunto.

And because Religion is the best and chiefest foundation of Peace, His Majesty will begin with that particular.

That for the abolishing Arch-bishops, Bishops, &c. His Majesty clearly professeth that He cannot give His consent thereunto, both in relation as He is a Christian, and a King. For the first, He avows that He is satisfied in His Judgement, that this Order was placed in the Church by the Apostles themselves, and ever since their time hath continued in all Christian Churches throughout the World untill this last Century of years; and in this Church, in all times of Change and Reformation, it hath been upheld by the Wisdom of His Ancestours, as the great preserver of Doctrine, Discipline and Order in the Service of God. As a King, at His Coronation He hath not onely taken a solemn Oath to maintain this Order, but His Majesty and His Predecessors in their confirmations of the Great Charter

Charter have inseparably woven the Right of the Church into the Liberties of the rest of their Subjects. And yet He is willing it be provided, that the particular Bishops perform the several Duties of their Callings, both by their personal Residence and frequent Preachings in their Dioceses, as also that they exercise no act of Jurisdiction or Ordination without the consent of their Presbyters; and will consent that their Powers in all things be so limited that they be not grievous to tender Consciences. Wherefore since His Majesty is willing to give ease to the Consciences of others, He sees no reason why He alone and those of His Judgement should be pressed to a violation of theirs. Nor can His Majesty consent to the Alienation of Church-Lands, because it cannot be denied to be a sin of the highest Sacrilege; as also that it subverts the intentions of so many pious Donors, who have laid a heavy Curse upon all such profane violations, which His Majesty is very unwilling to undergoe: and besides the matter of Conscience, His Majesty believes it to be a prejudice to the Publick good, many of His Subjects having the benefit of renewing Leases at much easier Rates then if those Possessions were in the hands of private men: not omitting the discouragement which it will be to all Learning and Industry, when such eminent rewards shall be taken away which now lye open to the Children of meanest Persons. Yet His Majesty considering the great present Distempers concerning Church-Discipline, and that the Presbyterian Government is now in practice, His Majesty, to eschew Confusion as much as may be, and for the satisfaction of His two Houses, is content that the said Government be legally permitted to stand in the same condition it now is for three years: provided that His Majesty and those of His Judgement (or any other who cannot in Conscience submit thereunto) be not obliged to comply with Presbyterial Government, but have free practice of their own Profession without receiving any prejudice thereby; and that a free Consultation and debate be had with the Divines at *Westminster* (twenty of His Majesties nomination being added unto them) whereby it may be determined by His Majesty and the two Houses how the Church-government after the said time shall be settled, (or sooner, if Differences may be agreed) as is most agreeable to the Word of God, with full Liberty to all those who shall differ

differ upon conscientious grounds from that settlement: alwaies provided, that nothing aforesaid be understood to tolerate those of the Popish Profession, nor the exempting of any Popish Recusant from the penalties of the Laws, or to tolerate the publick profession of Atheisme or Blasphemy, contrary to the Doctrine of the Apostles, *Nicene* and *Athanasian* Creeds, they having been received by and had in reverence of all the Christian Churches, and more particularly by this of *England* ever since the Reformation.

Next, the *Militia* being that Right which is inseparably and undoubtedly inherent in the Crown by the Laws of this Nation, and that which former Parliaments, as likewise this, hath acknowledged so to be; His Majesty cannot so much wrong that Trust which the Laws of God and this Land hath annexed to the Crown for the Protection and Security of His People, as to devest Himself and Successors of the power of the Sword: yet to give an infallible evidence of His desire to secure the performance of such Agreements as shall be made in order to a Peace, His Majesty will consent to an Act of Parliament, that the whole Power of the *Militia* both by Sea and Land, for and during His whole Reign, shall be ordered and disposed by His two Houses of Parliament, or by such persons as they shall appoint, with Powers limited for suppressing of Forces within this Kingdom to the disturbance of the publick Peace, and against forein Invasion; and that they shall have Power, during His said Reign, to raise moneys for the purposes aforesaid; and that neither His Majesty that now is, or any other (by any Authority derived onely from Him) shall execute any of the said Powers during His Majesties said Reign, but such as shall act by the consent and approbation of the two Houses of Parliament. Nevertheless His Majesty intends that all Patents, Commissions, and other Acts concerning the *Militia*, be made and acted as formerly; and that after His Majesties Reign, all the Power of the *Militia* shall return entirely to the Crown, as it was in the times of Queen *Elizabeth* and King *James* of blessed memory.

After this Head of the *Militia*, the consideration of the Arrears due to the Army is not improper to follow; for the payment whereof, and the ease of His People, His Majesty is willing to concur in any thing that can be done without the Violation of His Conscience

science and Honour. Wherefore if His two Houses shall consent to remit unto Him such benefit out of Sequestrations from *Micha-*
elmas last, and out of Compositions that shall be made before the
 concluding of the Peace, and the Arrears of such as have been already made, the assistance of the Clergy, and the Arrears of such Rents of His own Revenue as His two Houses shall not have received before the concluding of the Peace, His Majesty will undertake within the space of eighteen Moneths the payment of four hundred thousand pounds for the satisfaction of the Army; and if those means shall not be sufficient, His Majesty intends to give way to the sale of Forest Lands for that purpose, this being the Publick Debt which in His Majesties Judgement is first to be satisfied: and for other publick Debts already contracted upon Church-Lands or any other Ingagements, His Majesty will give His consent to such Act or Acts for raising of moneys for payment thereof as both Houses shall hereafter agree upon, so as they be equally laid, whereby His People (already too heavily burthened by these late Distempers) may have no more Pressures upon them then this absolute necessity requires.

And for the further securing of all Fears, His Majesty will consent, that an Act of Parliament be passed for the disposing of the great Offices of State, and naming of Privy-Councillors, for the whole term of His Reign, by the two Houses of Parliament, their Patents and Commissions being taken from His Majesty, and after to return to the Crown, as is exprest in the Article of the *Militia*.

For the Court of Wards and Liveries, His Majesty very well knows the consequence of taking that away, by turning of all Tenures into common Soccage, as well in point of Revenue to the Crown, as in the Protection of many of His Subjects being Infants: nevertheless, if the continuance thereof seem grievous to His Subjects, rather then He will fail on His part in giving satisfaction, He will consent to an Act for taking of it away, so as a full recompence be settled upon His Majesty and His Successors in perpetuity, and that the Arrears now due be reserved unto Him towards the payment of the Arrears of the Army.

And that the memory of these late Distractions may be wholly
 wiped

wiped away, His Majesty will consent to an Act of Parliament for the suppressing and making null of all Oaths, Declarations and Proclamations against both or either House of Parliament, and of all Indictments and other proceedings against any persons for adhering unto them; and His Majesty proposeth, (as the best Expedient to take away all seeds of future Differences) that there be an Act of Oblivion to extend to all His Subjects.

As for *Ireland*, the Cessation there is long since determined; but for the future (all other things being fully agreed) His Majesty will give full satisfaction to His Houses concerning that Kingdom.

And although His Majesty cannot consent in Honour and Justice to avoid all His own Grants and Acts past under His Great Seal since the two and twentieth of *May 1642.* or to the confirming of all the Acts and Grants passed under that made by the two Houses; yet His Majesty is confident that, upon perusal of particulars, He shall give full satisfaction to His two Houses to what may be reasonably desired in that particular.

And now His Majesty conceives that by these His Offers (which He is ready to make good upon the settlement of a Peace) He hath clearly manifested His intentions to give full security and satisfaction to all Interests, for what can justly be desired in order to the future Happiness of His People. And for the perfecting of these Concessions, as also for such other things as may be proposed by the two Houses, and for such just and reasonable Demands as His Majesty shall finde necessary to propose on His part, He earnestly desires a Personal Treaty at *London* with His two Houses, in Honour, Freedom and Safety, it being, in His Judgment, the most proper, and indeed onely, means to a firm and settled Peace, and impossible without it to reconcile former, or to avoid future misunderstandings.

All these things being by Treaty perfected, His Majesty believes His two Houses will think it reasonable that the Proposals of the Army, concerning the Succession of Parliaments and their due Elections, should be taken into consideration.

As for what concerns the Kingdom of *Scotland*, His Majesty will very readily apply Himself to give all reasonable satisfaction, when

638 *His MAJESTIES Declaration at the Isle of Wight.*

the Desires of the two Houses of Parliament on their behalf, or of the Commissioners of that Kingdom, or of both joyned together, shall be made known unto Him.

From the Isle of *Wight*, *Novemb.* 17. 1647.

His MAJESTIES Declaration at the Isle of Wight,
Novemb. 19. 1647.

CHARLES R.

HIS Majesty doth Declare, That He came from *Hampton-Court* for no other cause but for the preservation of His Person, which was (as He apprehended) in such danger, that He could not with Safety continue longer there: That if He could have been there with Safety, He would not have departed thence, nor from the Army: And that He chose this place rather than any other (when He was at liberty to have gone whither He pleased) that He might still continue under the protection of the Army (Colonel *Hammond* being a Member thereof) and that He might have conveniency of free intercourse between Himself and the Parliament for the settlement of a general Peace, to which He professes a very great inclination and desire, and that there shall be nothing wanting on His part that may be reasonably expected from Him.

And His Majesty doth further Declare, That in case these Gentlemen be taken from Him and punished as evil doers, for counselling Him not to goe out of the Kingdom, but rather to come to the place where He now is, for the ends aforesaid, and for their endeavouring accordingly in attending Him hither; He cannot but Himself expect to be dealt with accordingly, His case being the same.

Carisbrooke Castle, *Novemb.* 19. 1647.

His

*His MAJESTIES Letter to Sir THOMAS FAIRFAX,
from Carisbrooke, Novemb. 26. 1647.*

For Sir *Thomas Fairfax* General.

CHARLES R.

HAVING left order at Our remove from *Hampton-Court*, that a Copy should be given you of what We had then written to both Houses of Parliament touching the causes of Our withdrawing, and the continuance of Our Resolutions to improve every occasion of the satisfaction of all chief Interests, that so a happy Peace may be settled in Our Dominions; in pursuance whereof We have lately sent a Message to both Houses from this place, and a Copy of it to you; and being desirous, in order to that blessed Work, to give you Our present sense upon the condition of affairs as they now stand; We have thought fit to appoint Sir *John Barkley* to repair unto you, and to communicate the same to you: and We shall be glad by him to receive a mutuall communication of your sense also upon this Subject; not doubting but you easily perceive by the late Disorders, into what a depth of Confusion the Army and the Nation will fall, if timely and effectuall preventions be not used. And therefore We have now again proposed (as the onely Expedient) a Personal Treaty, for the composing of all Differences, and fulfilling the desires of all Interests; to which if you will imploy your Credit, as you cannot but expect the Blessings of God upon your endeavours therein, so you may justly look for the best return that ever Our Condition shall be able to make you.

Given at *Carisbrooke* Castle, the 26. day of *Novemb.* 1647.

*His MAJESTIES Message to both Houses, from
Carisbrook Castle, Dec. 6. 1647.*

To the Speaker of the House of Peers *pro tempore*, to be communicated to both Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of Scotland.

CHARLES R.

HAD His Majesty thought it possible that His two Houses could be employed in things of greater concernment then the Peace of this miserable distracted Kingdom, He would have expected with more Patience their leisure in acknowledging the receipt of His Message of the 16. of *November* last: But since there is not in nature any consideration preceding to that of Peace, His Majesties constant tenderness of the welfare of His Subjects hath such a prevalence with Him, that He cannot forbear the vehement prosecution of a Personal Treaty; which is onely so much the more desired by His Majesty, as it is superior to all other means of Peace. And truly, when His Majesty considers the several complaints He daily hears from all parts of this Kingdom, that Trade is so decayed, all Commodities so dear, and Taxes so insupportable, that even natural subsistence will suddainly fail; His Majesty (to perform the Trust reposed in Him) must use His uttermost endeavours for Peace, though He were to have no share in the benefit of it. And hath not His Majesty done His part for it, by divesting Himself of so much Power and Authority as by His last Message He hath promised to doe upon the concluding of the whole Peace? And hath He met with that acknowledgment from His two Houses which this great Grace and favour justly deserves? Surely the blame of this great retarding of Peace must fall somewhere else then on His Majesty.

To conclude, If ye will but consider in how little time this necessary good Work will be done, if you, the two Houses, will wait on His Majesty with the same Resolutions for Peace as He will meet you, He no way doubts but that ye will willingly agree to this His Majesties earnest desire of a Personal Treaty, and speedily
desire

desire His presence amongst you : where all things agreed on being digested into Acts (till when it is most unreasonable for His Majesty or His two Houses to desire each of other the least Concession) this Kingdom may at last enjoy the blessing of a long-wisht-for Peace.

From *Carisbrook Castle*, Decemb. 6. 1647.

The Four Bills sent to the King to the Isle of Wight <sup>MDCXLVII,
Dec. 24.</sup>
to be passed.

Together with the Propositions sent unto Him at the same time, which upon the passing of those Bills were to be Treated upon.

THE Lords and Commons assembled in Parliament have commanded us to present to Your Majesty these Four Bills, which have passed the two Houses of Parliament, thus severally Entituled, viz.

An Act concerning the Raising, settling and maintaining Forces by Sea and Land, within the Kingdoms of England and Ireland and Dominion of Wales, the Isles of Gernsey and Jersey, and the Town of Barwick upon Tweed.

An Act for justifying the Proceedings of Parliament in the late Warre, and for declaring all Oaths, Declarations, Proclamations, and other Proceedings against it, to be void.

An Act concerning Peers lately made, and hereafter to be made.

An Act concerning the Adjournments of both Houses of Parliament.

Soit baillé aux Seigneurs.

A ceste Bille les Seigneurs sont assentuz.

An Act concerning the Raising, settling and maintaining Forces by Sea and by Land, within the Kingdoms of England and Ireland and Dominion of Wales, the Isles of Gernsey and Jersey, and the Town of Barwick upon Tweed.

BE it Enacted by the Kings Majesty, and by the Lords and Commons assembled in Parliament, and by Authority of the same, That the Lords and Commons in the Parliament of *England* now assembled, or hereafter to be assembled, shall, during the space of Twenty years, from the first of *November 1647*. Arm, Train, and Discipline, or cause to be Armed, Trained and Disciplined, all the Forces of the Kingdoms of *England* and *Ireland* and Dominion of *Wales*, the Isles of *Gernsey* and *Fersey*; and the Town of *Barwick upon Tweed*, already raised both for Sea and Land-Service; and shall appoint all Commanders and Officers for the said Forces; and shall from time to time, during the said space of Twenty years, raise, levy, arm, train and discipline, or cause to be raised, levied, armed, trained and disciplined, any other Forces

for Land and Sea-Service in the Kingdoms, Dominions and Places aforesaid, as in their judgements they shall from time to time, during the said space of twenty years, think fit and appoint; and shall from time to time appoint all Commanders and Officers for the said Forces, or remove them, as they shall see cause; and shall likewise nominate, appoint, place or displace, as they shall see cause, all Commanders and Officers within the several Garrisons, Forts and Places of strength, as shall be within the Kingdoms of *England*, *Ireland*, and Dominion of *Wales*, the Isles of *Gernsey* and *Fersey*, and Town of *Barwick* upon *Tweed*: and that neither the King, His Heirs or Successors, nor any other but such as shall act by the Authority or Approbation of the said Lords and Commons, shall, during the said space of twenty years, exercise any of the powers aforesaid. And be it further enacted by the Authority aforesaid, That Moneys be raised and levied for the maintenance and use of the said Forces for Land-service, and of the Navy and Forces for Sea-service, in such sort and by such wayes and means as the said Lords and Commons shall from time to time, during the said space of twenty years, think fit and appoint, and not otherwise: and that all the said Forces, both for Land and Sea-service, so raised or levied, or to be raised or levied, and also the Admiralty and Navy, shall from time to time, during the said space of twenty years, be employed, managed, ordered, disposed or disbanded by the said Lords and Commons, in such sort and by such wayes and means as they shall think fit and appoint, and not otherwise. And be it further Enacted by the Authority aforesaid, That the said Lords and Commons, during the said space of twenty years, shall have power, in such sort and by such wayes and means as they shall think fit and appoint, to suppress all Forces raised or to be raised without Authority and Consent of the said Lords and Commons, to the disturbance of the publick Peace of the Kingdoms of *England* and *Ireland* and Dominion of *Wales*, the Isles of *Gernsey* and *Fersey*, and the Town of *Barwick* upon *Tweed*, or any of them; and also to suppress any Forein Forces who shall invade, or endeavour to invade, the Kingdoms of *England* and *Ireland*, Dominion of *Wales*, the Isles of *Gernsey* and *Fersey*, and the Town of *Barwick* upon *Tweed*, or any of them; and likewise to conjoyn such Forces of the Kingdom of *England* with the Forces of the Kingdom of *Scotland*, as the said Lords and Commons shall from time to time, during the said space of twenty years, judge fit and necessary, to resist all Forein Invasions, and to suppress any Forces raised or to be raised against or within either of the said Kingdoms, to the disturbance of the publick Peace of the said Kingdoms, or any of them, by any Authority under the Great Seal or other Warrant whatsoever, without consent of the said Lords and Commons of the Parliament of *England*, and the Parliament or the Estates of the Parliament of *Scotland*, respectively: and that no Forces of either Kingdoms shall goe into or continue in the other Kingdom, without the Advice and desire of the said Lords and Commons of the Parliament of *England* and the Parliament of the Kingdom of *Scotland*, or such as shall be by them respectively appointed for that purpose. And be it Enacted by the Authority aforesaid, That after the expiration of the said twenty years, neither the King, His Heirs or Successors, or any person or persons by colour or pretence of any Commission, Power, Deputation or Authority to be derived from the King, His Heirs or Successors, or any of them, shall raise, arm, train, discipline, imploy, order, manage, disband, or dispose any of the Forces by Sea and Land of the Kingdoms of *England* and *Ireland*, the Dominion of *Wales*, Isles of *Gernsey* and *Fersey*, and the Town of *Barwick* upon *Tweed*, or of any of them, nor exercise any of the said Powers or Authorities beforementioned and expressed to be, during the said space of twenty years, in the said Lords and Commons, nor doe any act or thing concerning the Execution of the said Powers or Authorities, or any of them, without the Consent of the said Lords and Commons first had and obtained. And be it further also Enacted, That after the expiration of the said twenty years, in all cases wherein the said Lords and Commons shall declare the Safety of the Kingdom to be concerned, and shall thereupon pass any Bill or Bills for the raising, arming, training, disciplining, imploying, managing, ordering, or disposing of the Forces by Sea or Land of the Kingdoms of *England* and *Ireland*, the Dominion of *Wales*, Isles of

Gernsey

Gernsey and *Fersey*, and the Town of *Barwick* upon *Tweed*, or of any part of the said Forces, or concerning the said Admiralty or Navy, or concerning the levying of Moneys for the raising, maintenance, or use of the said Forces for Land-service, or of the Navy and Forces for Sea-service, or of any part of them; and if that the Royal Assent to such Bill or Bills shall not be given in the House of Peers within such time after the passing thereof by both Houses of Parliament as the said Houses shall judge fit and convenient, that then such Bill or Bills so passed by the said Lords and Commons as aforesaid, and to which the Royal Assent shall not be given, as is herein before expressed, shall nevertheless, after Declaration of the said Lords and Commons made in that behalf, have the force and strength of an Act or Acts of Parliament, and shall be as valid to all intents and purposes as if the Royal Assent had been given thereunto. Provided alwaies, and be it further Enacted by the Authority aforesaid, That nothing herein before contained shall extend to the taking away of the ordinary Legal Power of Sheriffs, Justices of Peace, Maiors, Bailiffs, Coroners, Constables, Headboroughs, or other Officers of Justice, not being Military Officers, concerning the Administration of Justice; so as neither the said Sheriffs, Justices of Peace, Maiors, Bailiffs, Coroners, Constables, Headboroughs and other Officers, or any of them, do levy, conduct, imploy, or command any Forces whatsoever, by colour or pretence of any Commission of Array or extraordinary Command from His Majesty, His Heirs or Successors, without the Consent of the said Lords and Commons: and that if any persons shall be gathered and assembled together in Warlike manner, or otherwise, to the number of Thirty persons, and shall not forthwith separate and disperse themselves, being required thereto by the said Lords and Commons, or Command from them, or any by them especially authorized for that purpose; then such person and persons not so separating and dispersing themselves shall be guilty, and incur the pains of High Treason, being first Declared guilty of such offence by the said Lords and Commons, any Commission under the Great Seal or other Warrant to the contrary notwithstanding: and he or they that shall offend herein shall be incapable of any Pardon from His Majesty, His Heirs and Successors, and their Estates shall be disposed as the said Lords and Commons shall think fit, and not otherwise. Provided also further, That the City of *London* shall have and enjoy all their Rights, Liberties and Franchises, Customs and Usages, in the raising and employing the Forces of that City for the Defence thereof, in as full and ample manner, to all intents and purposes, as they have or might have used or enjoyed the same at any time before the sitting of this present Parliament.

Soit baillé aux Seigneurs.

A ceste Bille les Seigneurs sont assentuz.

An Act for justifying the Proceedings of Parliament in the late Warre, and for Declaring all Oaths, Declarations, Proclamations and other Proceedings against it, to be void.

WHereas the Lords and Commons assembled in Parliament have been necessitated to make and prosecute a Warre in their just and lawfull Defence, and thereupon Oaths, Declarations and Proclamations have been made against them and their Ordinances and Proceedings, and against others for adhering unto them, and for executing Offices, Places and Charges by Authority derived from them; and Judgements, Indictments, Outlawries, Attainders and Inquisitions, for the causes aforesaid, have been had and made against some of the Members of the Houses of Parliament and other His Majesties good Subjects, and Grants have been made of their Lands and Goods: Be it therefore Declared and hereby Enacted by the Kings Majesty, and by the Lords and Commons assembled in Parliament, and by Authority

of the same, That all Oaths, Declarations and Proclamations, heretofore had or made against both or either of the Houses of Parliament, or any the Members of either of them, for the causes aforesaid, or against their Ordinances or Proceedings, or against any for adhering unto them, or for doing or executing any Office, Place or Charge, by any Authority derived from the said Houses, or either of them, and all Judgements, Indictments, Outlawries, Attainders, Inquisitions and Grants thereupon made, and all other Proceedings for any the causes aforesaid, had, made, done or executed, or to be had, made, done or executed, whether the same be done by the King, or any Judges, Justices, Sheriffs, Ministers, or any others, are void and of no effect, and are contrary to and against the Laws of the Realme. And be it further Enacted and hereby Declared by the Authority aforesaid, That all Judges, Justices of the Peace, Maiors, Sheriffs, Constables and other Officers and Ministers, shall take notice hereof, and are hereby prohibited and discharged in all time to come from awarding any Writ, Process or Summons, and from pronouncing or executing any Judgement, Sentence or Decree, or any way proceeding against or molesting any of the said Members of the two Houses of Parliament, or against any of the Subjects of this Kingdom, for any the causes aforesaid.

Soit baillé aux Seigneurs.

A ceste Bille les Seigneurs sont assentuz.

An Act concerning Peers lately made, and hereafter to be made.

BE it Enacted by the Kings Majesty, and by the Lords and Commons assembled in Parliament, That all Honour and Title of Peerage conferred on any since the twentieth day of *May*, 1642. (being the day that *Edward Lord Littleton*, then Lord Keeper of the Great Seal, deserted the Parliament, and that the said Great Seal was surreptitiously conveyed away from the Parliament) be and is hereby made and declared Null and Void. Be it further Enacted, and it is hereby Enacted by the Authority aforesaid, that no Person that shall hereafter be made a Peer, or His Heirs, shall sit or vote in the Parliament of *England* without Consent of both Houses of Parliament.

Soit baillé aux Seigneurs.

A ceste Bille les Seigneurs sont assentuz.

An Act concerning the Adjournments of both Houses of Parliament.

BE it Declared and Enacted by the Kings Majesty, and by the Lords and Commons assembled in Parliament, and by the Authority of the same, That when and as often as the Lords and Commons assembled in this present Parliament shall judge it necessary to adjourn both Houses of this present Parliament to any other place of the Kingdom of *England* then where they now sit, or from any place adjourn the same again to the place where they now sit, or to any other place within the Kingdom of *England*, that then such their Adjournment and Adjournments to such places and for such time as they shall appoint, shall at all times and from time to time be valid and good, any Act, Statute or Usage to the contrary notwithstanding. Provided alwayes, and be it Enacted by the Authority aforesaid, that no Adjournment or Adjournments to be had or made by reason or colour of this Act, shall be deemed, adjudged or taken, to make end or determine any Session of this present Parliament.

And

And they also commanded us to present to Your Majesty these ensuing Propositions.

[Heads of the Propositions.]

1. That the new Seal be confirmed, and the old Great Seal, and all things passed under it since May 1642. be made void.
2. That Acts be passed for raising Moneys to satisfy Publick Debts.
3. That Members of both Houses put from their places by the King, be restored.
4. That the Cessation in Ireland be made void, and the Warre left to both Houses.
5. That an Act of Indemnity be passed.
6. That the Court of Wards be taken away, and such Tenures turned into common Socage.
7. That the Treaties between the English and Scots be confirmed, and Commissioners appointed for Conservation of the Peace between the Kingdoms.
8. That the Arrears of the Army be paid out of the Bishops Lands, forfeited Estates, and Forests.
9. That an Act be passed for abolishing Bishops and all Appendants to them.
10. That the Ordinances for disposing of Bishops Lands be confirmed by Act.
11. That an Act be passed for the sale of Church-Lands.
12. That Delinquents be proceeded against, and their Estates disposed of, according to the several Qualifications.
13. That an Act be passed for discharge of Publick Debts.
14. That Acts be passed for settling the Presbyterian Government, and Directory. Fourteen of the Thirty nine Articles revised by the Assembly of Divines. Rules and Directions concerning Suspension from the Lord's Supper.
15. That the chief Governour and Officers in Ireland, and the great Officers in England, be nominated by both Houses.
16. That an Act be passed for conviction of Popish Recusants.
17. That an Act be passed for the education of the Children of Papists by Protestants.
18. That an Act be passed for levying the Penalties against Popish Recusants.
19. That an Act be passed for preventing the practices of Papists against the State, and hearing Mass.
20. That an Act be passed for Observation of the Lord's day.
21. And a Bill for suppressing Innovations.
22. And for advancement of Preaching.
23. And against Pluralities and Non-residency.

[These Propositions being generally the same with those at Uxbridge, New-Castle, and Hampton-Court, it was thought fit to represent onely the Heads.]

They have also commanded us to desire, That Your Majesty give Your Royal Assent to these Bills by Your Letters Patents under the Great Seal of England, and signed by Your Hand, and Declared and Notified to the Lords and Commons assembled together in the House of Peers, according to the Law declared in that behalf; it appearing unto them upon mature deliberation, that it stands not with the Safety and Security of the Kingdom and Parliament, to have Your Majesties Assent at this time given otherwise: They desire therefore that Your Majesty be pleased to grant Your Warrant for the draught of a Bill for such Your Letters Patents to be presented to Your Majesty, and then a Warrant to *Edward Earl of Manchester*, and *William Lenthall Esquire*, Speaker of the House of Commons, who have now the Custody of the Great Seal of England; to put the same to Your Majesties Letters Patents signed as aforesaid, thereby authorizing *Algernon Earl of Northumberland*, *Henry Earl of Kent*, *John Earl of Rutland*, *Philip Earl of Pembroke*, *William Earl of Salisbury*, *Robert Earl of Warwick*, and *Edmond Earl of Moulgrave*, or any three of them, to give Your Majesties Royal Assent unto the said Bills, according to the Law in that behalf declared. And for the other particulars contained in the aforementioned Propositions, the two Houses of Parliament will, after such Your Majesties Assent given to the said Bills, send a Committee of both Houses to Treat with Your Majesty in the Isle of *Wight* thereupon;

The

The Paper of the Scots Commissioners delivered to His MAJESTY when the Four Bills and Propositions were presented.

THere is nothing which we have more constantly endeavoured and do more earnestly desire then a good Agreement and happy Peace between Your Majesty and Your Parliaments of both Kingdoms, neither have we left any means unassayed that by united Counsels with the Houses of the Parliament of *England*, and by making joynt Applications to Your Majesty, there might be a composure of all Differences: But the new Propositions communicated to us by the Houses, and the Bills therewith presented to Your Majesty, are so prejudicial to Religion, the Crown, and the Union and Interest of the Kingdoms, and so farre different from the former proceedings and engagements betwixt the Kingdoms, as we cannot concur therein. Therefore we do in the name of the Kingdom of *Scotland* dissent from these Propositions and Bills now tendered to Your Majesty.

Lowdon. *Hu. Kennedy.*
Lauderdale, *Ro. Berclay.*
Char. Erskin.

His MAJESTIES Answer to the Four Bills and Propositions, Dec. 28. 1647.

For the Speaker of the Lords House *pro tempore*, to be communicated to the Lords and Commons in the Parliament of *England* at *Westminster*, and the Commissioners of the Parliament of *Scotland*.

CHARLES R.

THE necessity of complying with all engaged Interests in these great Distempers, for a perfect settlement of Peace, His Majesty finds to be none of the least Difficulties He hath met with since the time of His Afflictions. Which is too visible, when at the same time that the two Houses of the *English* Parliament do present to His Majesty several Bills and Propositions for His Consent, the Commissioners for *Scotland* do openly protest against them. So that were there nothing in the case but the consideration of that difference, His Majesty cannot imagine how to give such an Answer to what is now proposed, as thereby to promise Himself His great End, *A perfect Peace*. And when His Majesty

Majesty farther considers how impossible it is (in the condition He now stands) to fulfill the desires of His two Houses, since the onely ancient and known wayes of passing Laws are either by His Majesties Personal Assent in the House of Peers, or by Commission under His Great Seal of *England*; He cannot but wonder at such failings in the manner of Address which is now made unto Him: unless His two Houses intend that His Majesty shall allow of a Great Seal made without His Authority, before there be any consideration had thereupon in a Treaty; which as it may hereafter hazard the Security it self, so for the present it seems very unreasonable to His Majesty. And though His Majesty is willing to believe that the intention of very many in both Houses, in sending these Bills before a Treaty, was onely to obtain a Trust from Him, and not to take any advantage by passing them to force other things from Him which are either against His Conscience or Honour: yet His Majesty believes it clear to all understandings, that these Bills contain (as they are now penned) not onely the devesting Himself of all Sovereignty, and that without possibility of recovering it either to Him or His Successours, (except by repeal of those Bills) but also the making His Concessions guilty of the greatest pressures that can be made upon the Subject, as in other particulars, so by giving an Arbitrary and Unlimited Power to the two Houses for ever, to raise and levy Forces for Land or Sea-service, of what persons (without distinction or quality) and to what numbers they please; and likewise, for the payment of them, to levy what Moneys, in such sort and by such ways and means (and consequently upon the Estates of whatsoever persons) as they shall think fit and appoint; which is utterly inconsistent with the Liberty and Property of the Subject, and His Majesties Trust in protecting them. So that if the major part of both Houses shall think it necessary to put the rest of the Propositions into Bills, His Majesty leaves all the world to judge how unsafe it would be for Him to consent thereunto: and if not, what a strange condition (after the passing of these Four Bills) His Majesty and all His Subjects would be cast into. And here His Majesty thinks it not unfit, to wish His two Houses to consider well the manner of their proceeding; That when His Majesty desires a Personal Treaty with them for the settling of a Peace, they in Answer
propose

propose the very subject Matter of the most essential part thereof to be first granted: a thing which will be hardly credible to Posterity. Wherefore His Majesty declares, That neither the desire of being freed from this tedious and irksome condition of life His Majesty hath so long suffered, nor the apprehension of what may befall Him in case His two Houses shall not afford Him a Personall Treaty, shall make Him change His resolution, of not consenting to any Act till the whole Peace be concluded. Yet then He intends not onely to give just and reasonable satisfaction in the particulars presented to Him, but also to make good all other Concessions mentioned in His Message of the 16. of *Novemb.* last, which He thought would have produced better effects then what He finds in the Bills and Propositions now presented unto Him.

And yet His Majesty cannot give over, but now again earnestly presseth for a Personal Treaty, (so passionately is He affected with the advantages which Peace will bring to His Majesty and all His Subjects;) of which He will not at all despair, (there being no other visible way to obtain a well-grounded Peace.) However His Majesty is very much at ease within Himself, for having fulfilled the Offices both of a Christian and of a King; and will patiently wait the good pleasure of Almighty God, to incline the hearts of His two Houses to consider their King, and to compassionate their fellow-Subjects Miseries.

Given at *Carisbrook Castle* in the *Isle of Wight*, *Decemb. 28. 1647.*

A Declaration of the Lords and Commons assembled in Parliament; with the Resolutions of both Houses concerning the King.

Together with an Order for Imprisoning the Persons and Sequestering the Estates of any that shall act contrary to this Declaration and Resolutions.

Die Sabbathi, 15. Januarii, 1647.

THe Lords and Commons assembled in Parliament, after many Addresses to His Majesty for the preventing and ending this Unnatural Warre raised by Him against His Parliament and Kingdom, having lately sent Four Bills to His Majesty, which did contain only matter of Safety and Security to the Parliament and Kingdom, referring the compofure of all other Differences to a Personal Treaty with

with His Majesty, and having received an absolute Negative, do hold themselves obliged to use their uttermost Endeavours speedily to settle the present Government in such a way as may bring the greatest Security to this Kingdom, in the enjoyment of the Laws and Liberties thereof; and in order thereunto, and that the Houses may receive no Delays nor Interruptions in so great and necessary a Work, they have taken these Resolutions, and passed these Votes following. *viz.*

Resolved upon the Question,
That the Lords and Commons do Declare, That they will make no further Addresses or Applications to the King.

Resolved upon the Question by the Lords and Commons assembled in Parliament,

That no Application or Address be made to the King by any person whatsoever, without the leave of both Houses.

Resolved upon the Question by the Lords and Commons assembled in Parliament,

That the person or persons that shall make breach of this Order shall incur the Penalties of High Treason.

Resolved upon the Question,

That the Lords and Commons do Declare, That they will receive no more any Message from the King, and do enjoin, that no person whatsoever do presume to receive or bring any Message from the King to both or either of the Houses of Parliament, or to any other person,

Joh. Brown, Cleric.
Parliamentorum.

H. Elsyng, Cler.
Parl. D. Com.

Die Luna, 17. Januarii, 1647.

Ordered by the Lords and Commons assembled in Parliament, That this Declaration and these Resolutions be forthwith printed and published; and that the several Knights of the Shires, and Burgeses that serve for the several Towns and places, do send Copies of the same to the several Counties and places.

It is further Ordered, That whatsoever person shall act contrary to this Declaration and Resolutions of Parliament, or shall incite or encourage others so to do, shall upon due proof thereof be Imprisoned, and his Estate Sequestred; and the Offenders in the premises, after publication hereof, shall be within the several Ordinances of Sequestration: And all Committees and Commissioners of Sequestrations are hereby authorized and required to take notice hereof, and to proceed to Sequestration accordingly.

Joh. Brown, Cleric.
Parliamentorum.

H. Elsyng, Cler.
Parl. D. Com.

*His MAJESTIES Declaration in Answer to the Votes
for No further Addresse.**Carisbrook-Castle, 18. Jan. 1647.*

To all My People, of whatsoever Nation, Quality or Condition.

AM I thus laid aside? and must I not speak for My Self? No; I will speak, and that to all My People, (which I would have rather done by the way of My two Houses of Parliament, but that there is a publick Order, neither to make Addresses to or receive Message from Me.) And who but you can be judge of the Differences betwixt Me and My two Houses? I know none else; for I am sure you it is who will enjoy the Happiness, or feel the Misery, of good or ill Government: and we all pretend who shall run fastest to serve you, without having a regard (at least in the first place) to particular Interests. And therefore I desire you to consider the state I am and have been in this long time, and whether my Actions have more tended to the Publick or My own Particular good. For whosoever will look upon Me barely as I am a Man, without that Liberty (which the meanest of My Subjects enjoys) of going whither and conversing with whom I will; as a Husband and Father, without the comfort of My Wife and Children; or lastly, as a King, without the least shew of Authority or Power to protect My distressed Subjects; must conclude Me not onely void of all Natural Affection, but also to want common Understanding, if I should not most chearfully embrace the readiest way to the settlement of these distracted Kingdomes. As also, on the other side, do but consider the Form and draught of the Bills lately presented unto Me; and as they are the Conditions of a Treaty, ye will conclude, that the same spirit which hath still been able to frustrate all My sincere and constant endeavours for Peace, hath had a powerful influence on this Message: for though I was ready to grant the Substance, and comply with what they seem to desire; yet as they had framed it I could not agree thereunto, without deeply wounding My Conscience and Honour, and betraying the Trust reposed in Me, by abandoning My People to the Arbitrary and Unlimited power of the two Houses

Houses for ever, for the levying and maintaining of Land or Sea-Forces, without distinction of Quality, or limitation for Money-Taxes. And if I could have passed them in terms, how unheard-of a Condition were it for a Treaty to grant beforehand the most considerable part of the subject matter? How ineffectual were that Debate like to prove, wherein the most potent party had nothing of moment left to ask, and the other nothing more to give? so consequently, how hopeless of mutual compliance? without which a Settlement is impossible. Besides, if after My Concessions the two Houses should insist on those things from which I cannot depart, how desperate would the Condition of these Kingdoms be, when the most proper and approved Remedy should become ineffectual? Being therefore fully resolved that I could neither in Conscience, Honour or Prudence, pass those Four Bills, I only endeavoured to make the Reasons and Justice of My Denial appear to all the World, as they do to Me, intending to give as little dissatisfaction to the two Houses of Parliament (without betraying My own Cause) as the matter would bear. I was desirous to give My Answer of the 28. of *December* last to the Commissioners sealed, (as I had done others heretofore, and sometimes at the desire of the Commissioners) chiefly, because when My Messages or Answers were publicly known before they were read in the Houses, prejudicial interpretations were forced on them, much differing, and sometimes contrary to My meaning. For example, My Answer from *Hampton-Court* was accused of dividing the two Nations, because I promised to give satisfaction to the *Scots* in all things concerning that Kingdom: and this last suffers in a contrary sense, by making Me intend to interest *Scotland* in the Laws of this Kingdom, (then which nothing was, nor is, further from My thoughts) because I took notice of the *Scots* Commissioners protesting against the Bills and Propositions, as contrary to the Interests and Engagements of the two Kingdoms. Indeed, if I had not mentioned their dissent, an Objection, not without some probability, might have been made against Me, both in respect the *Scots* are much concerned in the Bill for the *Militia* and in several other Propositions, and My silence might with some justice seem to approve of it. But the Commissioners refusing to receive My Answer sealed, I (upon the engage-

ment of their and the Governour's Honour, that no other use should be made or notice taken of it then as if it had not been seen) read and delivered it open unto them; whereupon what hath since passed, either by the Governour, in discharging most of My Servants, redoubling the Guards, and restraining Me of My former Liberty, (and all this, as himself confest, merely out of his own dislike of My Answer, notwithstanding his before said Engagement) or afterwards by the two Houses (as the Governour affirms) in confining Me within the circuit of this Castle, I appeal to God and the World, whether My said Answer deserved the Reply of such proceedings; besides the unlawfulness for Subjects to imprison their King. That, by the permission of Almighty God, I am reduced to this sad condition, as I no way repine, so I am not without hope but that the same God will, in due time, convert the Afflictions into My Advantage. In the mean time I am confident to bear these crosses with Patience and a great equality of Mind: but by what means or occasion I am come to this Relapse in My Affairs, I am utterly to seek; especially when I consider that I have sacrificed to My two Houses of Parliament, for the Peace of the Kingdom, all but what is much more dear to Me then My Life, My *Conscience* and *Honour*, desiring nothing more then to perform it in the most proper and natural way, *A Personal Treaty*. But that which makes Me most at a loss is, the remembering My signal Compliance with the Army and their Interests, and of what importance My Compliance was to them, and their often-repeated Professions and Engagements for My just Rights in general, at *Newmarket* and *Saint-Albans*, and their particular explanations of those generals by their Voted and re-voted *Proposals*; which I had reason to understand should be the utmost extremity would be expected from Me, and that in some things therein I should be eased, (herein appealing to the Consciences of some of the chiefest Officers in the Army, if what I have said be not punctually true:) and how I have failed of their expectations or My professions to them, I challenge them and the whole World to produce the least colour of Reason. And now I would know what it is that is desired. Is it Peace? I have shewed the way (being both willing and desirous to perform My part in it) which is, a just Compliance with all
chief

chief Interests. Is it Plenty and Happiness? they are the inseparable effects of Peace. Is it Security? I, who wish that all men would forgive and forget like Me, have offered the *Militia* for My time. Is it Liberty of Conscience? He who wants it is most ready to give it. Is it the right administration of Justice? Officers of trust are committed to the choice of My two Houses of Parliament. Is it frequent Parliaments? I have legally, fully concurr'd therewith. Is it the Arrears of the Army? Upon a Settlement they will certainly be payed with much ease; but before, there will be found much difficulty, if not impossibility, in it.

Thus all the World cannot but see My reall and unwearied endeavours for Peace, the which (by the Grace of God) I shall neither repent Me of nor ever be slackned in, notwithstanding My past, present, or future Sufferings: But if I may not be heard, let every one judge who it is that obstructs the good I would or might doe. What is it that men are afraid to hear from Me? It cannot be Reason, (at least none will declare themselves so unreasonable as to confess it:) and it can less be impertinent or unreasonable Discourses; for thereby, peradventure, I might more justifie this My Restraint then the causers themselves can doe: so that, of all wonders yet this is the greatest to Me. But it may be easily gathered how those men intend to govern who have used Me thus. And if it be My hard Fate to fall together with the Liberty of this Kingdom, I shall not blush for My self, but much lament the future Miseries of My People; the which I shall still pray God to avert, whatever becoms of Me.

CHARLES R.

*Votes for a Treaty.**Die Veneris, 28. Jul. 1648.*

Resolved,

THat a Treaty be had with the King in Person in the Isle of *Wight*, by a Committee appointed by both Houses, upon the Propositions presented to Him at *Hampton-Court*, and for the taking away of Wards and Liveries, for settling of a safe and well-grounded Peace.

Die Mercurii, 2. Aug. 1648.

Resolved,

THat a Committee of both Houses be sent to His Majesty to acquaint Him with their Resolutions to treat personally with His Majesty by a Committee of both Houses in such place as His Majesty shall make choice of in the Isle of *Wight*, upon the Propositions presented at *Hampton-Court*, and the taking away of Wards and Liveries, for the settling of a safe and well-grounded Peace: Which Treaty is resolved by the two Houses to be transacted with Honor, Freedom and Safety to His Majesty, in the Isle of *Wight*.

Die Jovis, 3. Aug. 1648.

Instructions from both Houses of the Parliament of England for James Earl of Middlesex, Sir John Hippeley Knight, and John Bulkeley Esquire, Committees of Parliament.

I. You, or any two of you, whereof one to be a Lord, shall with all speed repair unto His Majesty at the Castle of *Carisbrook* in the Isle of *Wight*.

II. You, or any two of you, whereof one to be a Lord, shall present unto His Majesty the Resolutions of both Houses of Parliament concerning a Personal Treaty to be had with His Majesty in the Isle of *Wight*.

III. You, or any two of you, whereof one to be a Lord, shall desire His Majesties speedy Answer to the said Resolutions.

IV. You, or any two of you, whereof one to be a Lord, are to acquaint His Majesty that you are onely allotted ten days from Friday next for your Going, Stay, and Return.

V. You, or any two of you, whereof one to be a Lord, shall have power, in case His Majesty desires to see the Propositions which were presented to Him at *Hampton-Court*, to present Him a Copy of them.

His

His MAJESTIES Message in Answer to the Votes.
 Carisbrooke, 10. Aug. 1648.

For the Speaker of the Lords House *pro tempore*, to be communicated to the Lords and Commons in the Parliament of *England* at *Westminster*.

CHARLES R.

IF the Peace of My Dominions were not much dearer to Me then any particular Interest whatsoever; I had too much reason to take notice of the several Votes which passed against Me, and the sad Condition I have been in now above these seven Moneths. But since you My two Houses of Parliament have opened (as it seems to Me) a fair beginning to a happy Peace, I shall heartily apply My Self thereunto; and to that end I will, as clearly and shortly as I may, set you down those things which I conceive necessary to this blessed Work, so that we together may remove all impediments that may hinder a happy conclusion of this Treaty, which with all chearfulness I do embrace.

And to this wished End your selves have laid most excellent grounds: For what can I reasonably expect more then to Treat with Honour, Freedom and Safety, upon such Propositions as you have or shall present unto Me, and such as I shall make to you? But withall remember, that it is the definition, not names, of things which make them rightly known; and that without means to perform, no Propositions can take effect. And truly My present Condition is such, that I can no more Treat then a blind man judge of colours, or one run a race who hath both his feet fast tied together. Wherefore My first necessary Demand is,

That you will recall all such Votes and Orders by which people are frightened from coming, writing, or speaking freely to Me.

Next, that such men of all Professions, whom I shall send for as of necessary use to Me in this Treaty, may be admitted to wait upon Me. In a word, that I may be in the same state of Freedom I was in when I was last at *Hampton-Court*. And indeed, less cannot in

any reasonable measure make good those Offers which you have made Me by your Votes. For how can I Treat with Honour, so long as people are terrified with Votes and Orders against coming to speak or write to Me? and am I honourably treated, so long as there is none about Me (except a Barber, who came now with the Commissioners) that ever I named to wait upon Me? or with Freedome, untill I may call such unto Me, of whose services I shall have use in so great and difficult a Work? And for Safety, (I speak not of My Person, having no apprehension that way) how can I judge to make a safe and well-grounded Peace, untill I may know (without disguise) the true present state of all My Dominions, and particularly of all those whose Interests are necessarily concerned in the Peace of these Kingdoms? Which leads Me naturally to the last necessary Demand I shall make for the bringing this Treaty to an happy end, which is,

That you alone, or you and I joyntly, do invite the *Scots* to send some persons authorized by them to Treat upon such Propositions as they shall make: For certainly the publick and necessary Interest they have in this great Settlement is so clearly plain to all the World, that I believe no body will deny the necessity of their concurrence in this Treaty in order to a durable Peace. Wherefore I will onely say, that as I am King of both Nations, so I will yield to none in either Kingdom for being truly and zealously affected for the good and honour of both; My Resolution being never to be partial for either to the prejudice of the other.

Now as to the Place (because I conceive it to be rather a circumstantial then real part of this Treaty, I shall not much insist upon it) I name *Newport* in this Isle: yet the fervent zeal I have that a speedy end be put to these unhappy Distractions, doth force Me earnestly to desire you to consider what a great loss of time it will be to Treat so farre from the body of My two Houses, when every small Debate (of which doubtless there will be many) must be transmitted to *Westminster* before it be concluded. And really I think (though to some it may seem a Paradoxe) that peoples minds will be much more apt to settle, seeing Me Treat in or near *London*, then in this Isle; because so long as I am here, it will never be believed by many that I am really so free as before this Treaty
begin

begin I expect to be. And so I leave and recommend this point to your serious consideration.

And thus I have not onely fully accepted of the Treaty which you have proposed to Me by your Votes of the third of this Moneth, but also given it all the furtherance that lies in Me, by demanding the necessary means for the effectual performance thereof: All which are so necessarily implied by, though not particularly mentioned in, your Votes, as I can no wayes doubt of your ready compliance with Me herein. I have now no more to say, but to conjure you by all that is dear to Christians, honest men, or good Patriots, that ye will make all the Expedition possible to begin this happy Work, by hasting down your Commissioners fully authorized and well instructed, and by enabling Me (as I have shewed you) to Treat; praying the God of Peace so to bless our endeavours, that all My Dominions may speedily enjoy a safe and well-grounded Peace.

CHARLES R.

Carisbrooke, Aug. 10.

1648.

A Letter from the Speaker of both Houses to His Majesty, Aug. 25. 1648.

With Votes in order to a Treaty.

May it please Your Majesty,

WE are commanded by Your Majesties loyall Subjects, the Lords and Commons in Parliament assembled, to present unto Your Majesty these Resolutions inclosed, which are the results of the said Lords and Commons upon Your Majesties Letter of the tenth of *August* instant.

Westminster, 25. Aug.
1648.

Your Majesties most loyall and most humble
Subjects and Servants,

Manchester, Speaker of the House of Peers
pro tempore.
William Lenthall, Speaker of the House
of Commons.

Die Fovis, 24. Aug. 1648.

Resolved upon the Question by the Lords and Commons in Parliament assembled,

That for opening a way towards a Treaty with His Majesty for a safe and well-grounded

grounded Peace; these four Votes following are hereby revoked and taken off, *viz.*

1. *Resolved, That the Lords and Commons do declare, That they will make no further Addresses or Applications to the King.*

2. *Resolved by the Lords and Commons assembled in Parliament, That no Application or Addresses be made to the King by any person whatsoever without the leave of both Houses.*

3. *Resolved by the Lords and Commons assembled in Parliament, That the person or persons that shall make breach of this Order, shall incurre the penalties of High Treason.*

4. *Resolved, That the Lords and Commons do declare, That they will receive no more any Message from the King; and do enjoin, that no person whatsoever do presume to receive or bring any Message from the King, to both or either of the Houses of Parliament, or to any other person.*

Resolved by the Lords and Commons, That His Majesty be desired to send to the Houses the Names of such Persons as He shall conceive to be of necessary use to be about Him during this Treaty, they not being persons excepted by the Houses from Pardon, or under restraint, or in actual Warre against the Parliament by Sea or Land, or in such numbers as may draw any just cause of suspicion: And that His Majesty shall be in the Isle of *Wight* in the same state and Freedom as He was in when He was last at *Hampton-Court*.

Resolved, That the Houses do agree, that such Domestick Servants, not being in the former Limitations, as His Majesty shall appoint to come to attend upon His Majesties Person, shall be sent unto Him.

Resolved, That the Town of *Newport* in the Isle of *Wight*, named by the King, shall be the Place for this Treaty with His Majesty.

Resolved, That if the King shall think fit to send for any of the *Scotish* Nation, to advise with Him concerning the Affairs of the Kingdom of *Scotland* onely, the Houses will give them a safe Conduct, they not being persons under restraint in this Kingdom, or in actual Warre against the Parliament by Sea or Land, or in such numbers as may draw any just cause of suspicion.

Resolved, That Five Lords and Ten Members of the House of Commons be Commissioners to Treat with the King.

Resolved, That the time of beginning the Treaty be within ten dayes after the Kings Assent to Treat as is agreed, and to continue fourty dayes after the beginning thereof.

Resolved, That His Majesty be desired to pass His Royal Word to make His constant Residence in the Isle of *Wight*, from the time of His Assenting to Treat untill twenty dayes after the Treaty be ended, unless it be otherwise desired by both Houses of Parliament; and that after His Royal Word so passed, and His Assent given to Treat as aforesaid, from thenceforth the former Instructions of the 16. of *November* 1647. be vacated, and these observed; and that Colonel *Hammond* be authorized to receive His Majesties Royal Word passed to the two Houses of Parliament for His Residence in the Isle of *Wight*, according as is formerly expressed, and shall certifie the same to both Houses.

His

His MAJESTIES Answer to the Votes.

For the Earl of *Manchester*, Speaker of the House of Peers *pro tempore*, and *William Lenthall*, Speaker of the House of Commons.

Carisbrook, Monday 28. *August*, 1648.

MY Lord, and Master Speaker, I have received your Letter of the 25. of this Moneth, with the Votes that you sent Me, which though they are not so full as I could have wished for the perfecting of a Treaty, yet because I conceive by what you have done that I am in some measure fit to begin one, such is My uncessant and earnest desire to give a Peace to these My now distracted Dominions, as I accept the Treaty, and therefore desire that such five Lords and ten Commoners as My two Houses shall appoint, be speedily sent, fully Authorized and Instructed to Treat with Me; not doubting but what is now wanting will at our meeting upon Debate be fully supplied, not onely to the furtherance of this Treaty, but also to the consummating of a safe and well-grounded Peace. So I rest,

Your good Friend,

CHARLES R.

Here inclosed I have sent you a List that ye have desired.

I desire in order to one of your Votes, that ye would send Me a free Pass for *Parsons*, one of the Grooms of My Presence-Chamber, to goe into *Scotland*, and that ye would immediately send him to Me to receive the Dispatch thither.

The List.

Duke *Richmond*, Marq. *Hartford*, Earl *Lindsey*, Earl *Southampton*,
Gentlemen of My Bed-chamber.

George

George Kirke, James Leviston, Henry Murry, John Ashburnham, William Leg, Grooms of My Bed-chamber.

Thomas Davise, Barber.

Hugh Henne, Humph. Rogers, William Levett, Pages of My Back-Staires.

..... Rives, Yeoman of My Robes.

Sir Ed. Sidenham, Robert Terwitt, John Housden, Querries, with four or six of My Footmen, as they find fittest to wait.

Mistress Wheeler Landress, with such Maids as she will chuse.

..... Parsons, a Groom of My Presence.

Sir Fulke Grevill, Captain Titus, Captain Burroughs, Master Cresset, Hansted, Ab. Dowsett, Firebrace, to wait as they did, or as I shall appoint them.

Bishop of London, Bishop of Salisbury, Doctor Shelden, Doctor Hammond, Doctor Holdsworth, Doctor Sanderson, Doctor Turner, Doctor Heywood, Chaplains.

Sir Thomas Gardiner, Sir Or. Bridgman, Sir Ro. Holburne, Mr Geffrey Palmer, Mr. Thomas Cooke, Mr J. Vaughan, Lawyers.

Sir Edward Walker, Mr Phil. Warwick, Nic. Oudart, Charles Whitaker, Clerks and Writers.

Peter Newton, Clem. Kinerfley, to make ready the House for Treating.

*A Letter from the Speakers of both Houses to His MAJESTY,
Sept. 2. 1648.*

With the Names of their Committee to Treat with Him.

YOur two Houses of Parliament have commanded us to acquaint Your Majesty, that they have appointed the Earl of *Northumberland*, the Earl of *Pembroke*, the Earl of *Salisbury*, the Earl of *Middlesex*, and the Lord Viscount *Say and Seale*, Members of the House of Peers, and *Thomas Lord Wenman*, Master *Denzil Hollis*, Master *William Pierrepont*, Sir *Henry Vane* junior, Sir *Harbottle Grimston*, Master *Samuel Browne*, Master *John Crew*, Master Recorder of the City of *London*, Sir *John Potts*, Master *John Bulkeley*, Members of the House of Commons, to Treat with Your Majesty at *Newport* in the Isle of *Wight*: And though they cannot come within the time appointed, yet they shall give their attendance with all convenient speed.

2. Septemb.
1648.

Your Majesties most loyall and humble Servants,

Hunsdon, Speaker of the House of Peers
pro tempore;
William Lenthall, Speaker of the House
of Commons.

His

His MAJESTIES Answer to both Speakers.

For the Lord *Hunsdon*, Speaker of the House of Peers *pro tempore*,
and *Willam Lenthal*, Speaker of the House of Commons.

My Lord, and M^r Speaker,

I Have received your Letter of the second of this Moneth, containing the Names of those who are to Treat with Me; and though they do not come at the time appointed, I shall not wonder, at first judging it too short, in respect of My two Houses, not of My self, so that I did not imagine it could be kept, (as I then commanded Sir *Peter Killegrew* to tell you by word of Mouth:) and therefore it shall be farre from Me to take Exceptions for their having elapsed the appointed time; for God forbid that either My two Houses or I should carp at circumstances, to give the least impediment to this Treaty, much less to hinder the happy finishing of it. I say this the rather, because I know not how it is possible, (in this I shall wish to be deceived) that in Fourty dayes Treaty the many Distractions of these Kingdoms can be settled: and if so, it were more then strange, that time enough should not be given for the perfecting of this most great and good Work, which as I will not believe can be stuck on by the two Houses, so I am sure it shall never be by

Your good Friend,

Carisbrooke, 7. Sept.

CHARLES R.

1648.

I think fit to tell you, because I believe in this Treaty there will be need of Civil Lawyers, I have sent for My Advocate *Rives*, and *D. Duck*.

[And afterward His Majesty desired the Persons named in this Note, inclosed in a Letter of one of their Commissioners, Novemb. 2. to be sent to Him.]

C. R.

The Bishop of *Armagh*, the Bishop of *Excester*, the Bishop of *Ro-*
chester, the Bishop of *Worcester*, D^r *Ferne*, D^r *Morley*.

(L11)

[The

[*The Propositions of both Houses being the same which had been presented to His Majesty at Hampton-Court, and little differing from those which had been largely discussed in the former Treaties at Oxford and Uxbridge ; for this reason, as also because neither Party did publish the particulars of this Treaty, we have thought fit to represent onely what is Authentick, and therefore shall adde onely His Majesties fair Offers in order to a Peace.*]

His MAJESTIES Propositions, 29. Sept. 1648.

HIS Majesty did use many earnest endeavours for a Personal Treaty, which he hoped might have been obtained at Westminster, between Him and His two Houses of Parliament immediately : yet they having made choice of this way by you their Commissioners, His Majesty did gladly and chearfully accept thereof in this place, as a fit means to begin a Treaty for a Peace, which might put an end to His own sad Condition, and the Miseries of His Kingdom. For an entrance whereunto, His Majesty hath already expressed His Consent to the First Proposition. But finding you are limited by Instructions, which you have no Warrant to communicate unto Him, and having cause by your Paper of the 20. of this present to believe that you have no power to omit or alter any thing, though He shall give you such Reasons as may satisfie you so to doe, without transmitting the Papers to the two Houses at a farre distance, where His Majesties Reasons, Expressions and Offers upon Debate cannot be fully represented, and from whence their Answers cannot be returned without much wast of the time allotted for the Treaty here ; and having lately received another Paper concerning the Church, containing in it self many particulars of great importance, and referring to divers Ordinances, Articles of Religion, and other things (eleven or twelve in number) of great length, and some of them very new, and never before presented to His Majesty, the due consideration whereof will take up much time, and require His Majesties Presence with His two Houses before a full resolution can well be had in matters of so high consequence : To the end therefore that the good work now in hand may (by God's blessing) proceed more speedily and effectually to an happy Conclusion, and that His two Houses of Parliament may at present have further security, and an earnest of future satisfaction ;

faction; His Majesty, upon consideration had of yours, makes these Propositions following.

Concerning the Church; His Majesty will consent, That the Calling and Sitting of the Assembly of Divines at *Westminster* be confirmed for Three years by Act of Parliament.

And will by Act of Parliament confirm for Three years the Directory for the Publick Worship of God in the Kingdoms of *England* and *Ireland*, and Dominion of *Wales*.

And will likewise confirm for Three years by Act of Parliament the form of Church-Government which ye have presented to Him, to be used for the Churches of *England* and *Ireland*, and Dominion of *Wales*. Provided, that His Majesty, and those of His Judgement, or any others who cannot in Conscience submit thereunto, be not in the mean time obliged to comply with the same Government, or form of Worship, but have free practice of their own profession. And that a free Consultation and debate be had with the Assembly of Divines at *Westminster* in the mean time, (Twenty of His Majesties Nomination being added unto them) whereby it may be determined by His Majesty and His two Houses of Parliament, how the said Church-Government and form of Publick Worship after the said time may be settled, or sooner, if Differences may be agreed; and how also Reformation of Religion may be settled within the Kingdoms of *England* and *Ireland*, and Dominion of *Wales*: And the Articles of Christian Religion now delivered to Him, may in like manner be then considered of and determined, and care taken for the ease of tender Consciences.

And concerning the Bishops Lands and Revenues, His Majesty considering that during these troublesome times divers of His Subjects have made Contracts and Purchases, and divers have disbursed great Summes of Money upon security and engagement of those Lands; His Majesty for their satisfaction will consent to an Act or Acts of Parliament, whereby legal Estates for Lives or for Years (at their choice) not exceeding ninety nine years, shall be made of those Lands towards the satisfaction of the said Purchasers, Contractors, and others to whom they are engaged, at the old Rents, or some other moderate Rent, whereby they may receive satisfaction.

(L 11 2)

And

And in case such Lease shall not satisfie, His Majesty will propound and consent to some other way for their further satisfaction.

Provided, that the Propriety and Inheritance of those Lands may still remain and continue to the Church and Church-men respectively, according to the pious intentions of the Donors and Founders thereof: And the rest that shall be reserved, to be for their maintenance.

His Majesty will give His Royal Assent for the better observation of the Lords day; for suppressing of Innovations in Churches and Chappels in and about the Worship of God; and for the better advancement of the Preaching of God's Holy Word in all parts of this Kingdom: and to an Act against enjoying Pluralities of Benefices by Spiritual Persons, and Non-residency: and to an Act for regulating and reforming both Universities, and the Colleges of *Westminster, Winchester and Eaton*.

His Majesty will consent to an Act for the better discovery and speedy conviction of Popish Recusants, as is desired in your Propositions; and also to an Act for the Education of the Children of Papists by Protestants in the Protestant Religion.

As also to an Act for the true levying of the Penalties against Papists, to be levied and disposed in such manner as both Houses shall agree on, and as is proposed on His Majesties behalf.

And also to an Act to prevent the practices of Papists against the State; and for putting the Laws in execution; and for a stricter course to prevent hearing and saying of Mass.

But as to the Covenant, His Majesty is not yet therein satisfied that He can either signe or swear it, or consent to impose it on the Consciences of others; nor doth conceive it proper or usefull at this time to be insisted on.

Touching the *Militia*; His Majesty conceives that your Proposition demands a farre larger power over the Persons and Estates of His Subjects then hath ever hitherto been warranted by the Laws and Statutes of this Realm: yet considering the present Distractions require more, and trusting in His two Houses of Parliament, that they will make no further use of the Power therein mentioned, after the present Distempers settled, then shall be agreeable to the Legal
exercise

exercise thereof in times past, or just necessity shall require, His Majesty will consent to an Act of Parliament,

That the Lords and Commons in the Parliament of *England* now assembled, or hereafter to be assembled, or such as they shall appoint during the space of ten years, shall Arm, Train and Discipline, or cause to be Armed, Trained or Disciplined, all the Forces of the Kingdoms of *England* and *Ireland*, and Dominion of *Wales*, the Isles of *Gernesey* and *Jersey*, and the Town of *Berwick* upon *Tweed*, already raised, both for Sea and Land-service; and shall from time to time, during the space of ten years, raise, levy, arm, train and discipline, or cause to be raised, levied, armed, trained and disciplined, any other Forces for Land and Sea-service, in the Kingdoms, Dominions and places aforesaid, as in their judgements they shall from time to time during the said space of ten years think fit to appoint: And that neither the King, His Heirs, or Successors, or any other but such as shall act by the Authority or approbation of the said Lords and Commons, shall during the said space of ten years exercise any of the Powers aforesaid.

That Monies be raised and levied for the maintenance and use of the said Forces for Land-service, and of the Navy and Forces for Sea-service, in such sort, and by such ways and means as the said Lords and Commons shall from time to time, during the said space of ten years, think fit and appoint, and not otherwise.

That all the said Forces both for Land and Sea-service so raised or levied, or to be raised or levied, and also the Admiralty and Navy, shall from time to time during the said space of ten years be employed, managed, ordered and disposed by the Lords and Commons in such sort and by such ways and means as they shall think fit and appoint, and not otherwise.

And the said Lords and Commons, or such as they shall appoint, during the said space of ten years shall have power,

1. To suppress all Forces raised, or to be raised, without Authority and Consent of the said Lords and Commons, to the disturbance of the Publick Peace of the Kingdoms of *England* and *Ireland*, Dominion of *Wales*, the Isles of *Gernesey* and *Jersey*, and the Town of *Berwick* upon *Tweed*, or any of them.

2. To suppress any Forein Forces who shall invade, or endeavour

to invade, the Kingdoms of *England* and *Ireland*, Dominion of *Wales*, the Isles of *Gernesey* and *Jersey*, and the Town of *Berwick upon Tweed*, or any of them.

And after the expiration of the said ten years, neither the King, His Heirs or Successors, or any person or persons by colour or pretence of any Commission, Power, Deputation, or Authority to be derived from the King, His Heirs or Successors, or any of them, shall, without the Consent of the said Lords and Commons, raise, arm, train, discipline, employ, order, manage, disband, or dispose any the Forces by Sea or Land, of the Kingdoms of *England* and *Ireland*, the Dominion of *Wales*, Isles of *Gernesey* and *Jersey*, and the Town of *Berwick upon Tweed*, nor exercise any of the said Powers or Authorities herein before mentioned, and expressed to be during the space of ten years in the said Lords and Commons, nor doe any act, or any thing concerning the execution of the said Powers or Authorities, or any of them, without the Consent of the said Lords and Commons first had and obtained.

And with the same Provisoos for saving the ordinary Legall Power of Officers of Justice, not being Military Officers, as is set down in your Propositions.

And with a Declaration, That if any persons shall be gathered and assembled together in a Warlike manner, or otherwise, to the number of thirty persons, and shall not forthwith disperse themselves, being required thereto by the said Lords and Commons, or command from them, or any by them especially authorized for that purpose; then such person or persons not so dispersing themselves, shall be guilty and incur the pains of High Treason, being first declared guilty of such offence by the said Lords and Commons: any Commission under the Great Seal, or any other Warrant to the contrary notwithstanding. And he or they that shall so offend herein, to be incapable of any Pardon from His Majesty, His Heirs or Successors.

And likewise that it be provided that the City of *London* shall have and enjoy all their Rights, Liberties, &c. in raising and employing the Forces of that City in such sort as is mentioned in the said Proposition.

With these Provisoos following to be inserted in the said Act.

First,

First, That none be compelled to serve in the Warres against their wills, but in case of coming in of strange Enemies into this Kingdom.

And that the Powers above mentioned, as concerning the Land-Forces, other then for keeping up and maintenance of Forts and Garrisons, and the keeping up, maintaining, and pay of this present Army, so long as it shall be thought fit by both Houses of Parliament, be exercised to no other purposes, then for the suppressing of Forces raised or to be raised without Authority and Consent of the said Lords and Commons as aforesaid, or for suppressing of any Forein Forces which shall invade or endeavour to invade the Kingdoms, Dominions, or places aforesaid.

And that the Monies be raised by general and equal Taxations; saving that Tonnage and Poundage, and such Imposts as have been applied to the Navy, be raised as hath been usuall.

And that all Patents, Commissions, and other Acts concerning the Premisses, be made and acted in His Majesties Name, by Warrant signified by the Lords and Commons, or such others as they shall authorise for that purpose.

If it shall be more satisfactory to His two Houses, to have the *Militia* and Powers thereupon depending during the whole time of His Majesties Reigne, rather then for the space of ten years, His Majesty gives them the Election.

Touching *Ireland*, His Majesty having in the two preceding Propositions given His Consent concerning the *Church* and the *Militia* there in all things as in *England*, as to all other matters relating to that Kingdom, after Advice with His two Houses, He will leave it to their determination, and give His Consent accordingly, as is herein hereafter expressed.

Touching Publick Debts, His Majesty will give His Consent to such an Act for raising of Monies by generall and equall Taxations for the payment and satisfying the Arrears of the Army, Publick Debts and Engagements of the Kingdom, as shall be agreed on by both Houses of Parliament, and shall be audited and ascertained by them, or such persons as they shall appoint, within the space

of twelve Moneths after the passing of an Act for the same.

His Majesty will Consent to an Act, that during the said space of ten years, the Lord Chancellour, or Lord Keeper, Commissioners of the Great Seal, or Treasury, Lord Warden of the Cinque-Ports, Chancellour of the Exchequer and Dutchy, Secretaries of State, Master of the Rolles, and Judges of both Benches, and Barons of the Exchequer of *England*, be nominated by both Houses of the Parliament of *England*, to continue *quamdiu se bene gesserint*; and in the intervalls of Parliament, by such others as they shall authorise for that purpose.

His Majesty will Consent, That the *Militia* of the City of *London* and Liberties thereof, during the space of ten years, may be in the Ordering and Government of the Lord Maior, Aldermen and Commons in the Common-Council assembled, or such as they shall from time to time appoint, (whereof the Lord Maior and Sheriffs for the time being to be three) to be imployed and directed from time to time, during the said space of ten years, in such manner as shall be agreed upon and appointed by both Houses of Parliament : And that no Citizen of the City of *London*, nor any of the Officers of the said City, shall be drawn forth or compelled to goe out of the said City or Liberties thereof, for Military service, without their own free consent.

That an Act be passed for granting and confirming the Charters, Customes, Liberties and Franchises of the City of *London*, notwithstanding any *Non-user*, *Misuser*, or *Abuser*.

And that during the said ten years the Tower of *London* may be in the Government of the City of *London*, and the Chief Officer and Governour from time to time during the said space to be nominated and removeable by the Common-Council, as are desired in your Propositions.

His Majesty having thus farre expressed His Consent for the present satisfaction and security of His two Houses of Parliament and those that have adhered unto them, touching your four first
Propo-

Propositions, and other the particulars before specified; as to all the rest of your Propositions delivered to Him at *Hampton-Court*, (not referring to those Heads) and to that of the Court of Wards since delivered, as also to the remaining Propositions concerning *Ireland*, His Majesty desires onely, when He shall come to *Westminster*, Personally to advise with His two Houses, and to deliver His Opinion, and the reasons of it: which being done, He will leave the whole matter of those remaining Propositions to the determination of His two Houses, which shall prevail with Him for His Consent accordingly.

And His Majesty doth (for His own particular) onely propose that He may have Liberty to repair forthwith to *Westminster*, and be restored to a condition of absolute Freedom and Safety, (a thing which He shall never deny to any of His Subjects) and to the possession of His Lands and Revenues; and that an Act of Oblivion and Indemnity may pass to extend to all persons, for all matters relating to the late unhappy Differences: Which being agreed by His two Houses of Parliament, His Majesty will be ready to make these His Concessions binding, by giving them the force of Laws by His Royall Assent.

Votes concerning His MAJESTIES Propositions and Concessions.

Die Luna, Octobr. 2. 1648.

Resolved by the Lords and Commons in Parliament assembled,

THAT they are not satisfied in the Propositions made by His Majesty in His Letter. And that a Letter be sent to the Commissioners in the Isle of *Wight*, to acquaint them that the Houses do well approve of their proceedings, and do give them thanks for their great care and pains in managing of this important and weighty business; requiring them still to proceed, and act punctually according to their Instructions.

[*But upon further Debate in the Treaty, some things being yet further cleared, and more fully granted by His Majesty, out of His earnest desire of Peace, they at last came so near to an Agreement, that the Lower House, after long consultation, passed the following Vote:*]

Die Martis, 5. Decembr. 1648.

Resolved upon the Question,

That the Answers of the King to the Propositions of both Houses are a Ground for the House to proceed upon for the Settlement of the Peace of the Kingdom.

The

The Chief Heads of the Remonstrance of the Army; presented to the House of Commons, Nov. 20. 1648.

To the Right Honorable the Commons of *England* Assembled in Parliament,

The humble Remonstrance of his Excellency the Lord General *Fairfax*, and his General Council of Officers held at *St. Albans*, Thursday the 16. of *Novemb.* 1648.

[*The Remonstrance it self being very long, and serving onely to introduce their Propositions in the end, we have thought fit to represent only the Propositions themselves, as they are contracted in their own Abridgement.*]

First, That the Capital and grand Author of our Troubles, the Person of the King, by whose procurement, and for whose Interest onely of will and power, all our Warrs have been, may be brought to Justice for the Treason, Blood, and Mischief He is therein guilty of.

Secondly, That a timely day may be set for the Prince of *Wales* and the Duke of *York* to come in, by which time if they do not, that then they may be immediately declared incapable of any Government or Trust in this Kingdom or its Dominions, and thence to stand exil'd for ever as Enemies and Traitors, to dy without mercy if ever after found and taken therein. Or if by the time limited they do render themselves, that then the Prince be proceeded with as on his appearance he shall give satisfaction or not; and the Duke, as he shall give satisfaction, may be considered as to future Trust or not. But however, that the Revenue of the Crown (saving necessary allowances for the Children, and for Servants and Creditors to the Crown) be sequestred, and the costly Pomp suspended for a good number of years; and that this Revenue be for that time disposed toward publick Charges, Debts and Damages, for the easing of the People; so as the Estates neither of Friends to publick Interest, nor alone of inferiour Enemies thereto, may bear wholly the burthen of that loss and charge which by and for that Family the Kingdome hath been put unto.

Thirdly, That Capital punishment be speedily executed upon a competent number of his chief Instruments also, both in former and later Warrs; and that some of both sorts be pitcht upon as are really in your hands or reach.

Fourthly, That the rest of the Delinquents *English*, may upon rendring themselves to Justice have mercy for their Lives; and that onely Fines be set upon them, and their persons declared incapable of any publick Trust, or having any voice in Elections thereto, at least for a good number of years: And that a short day may be set by which all such Delinquents may come in; and for those who come not in by that day, that their Estates be absolutely confiscate and sold to the publick use, and their persons stand exil'd as Traitors, and to die without mercy if ever found after in the Kingdom or its Dominions.

Fifthly, That the satisfaction of Arrears to the Souldiery, with other publick Debts, and competent reparations of publick Damages, may be put into some orderly way: And therefore that the Fines and Compositions of Delinquents be disposed to those uses onely, as also the Confiscations of such who shall be excluded from Pardon, or not come in by the day assigned.

Now after publick Justice thus farre provided for, we proceed in order to the general satisfaction and settling of the Kingdom.

First, That you would set some reasonable and certain period to your own Power.

Secondly,

Secondly, That with a period to this Parliament, there may be a settlement of the Peace and future Government of the Kingdom.

First, That there may be a certain succession of future Parliaments, Annual or Biennial, with secure provision, 1. For the certainty of their sitting, meeting, and ending; 2. For equal Elections; 3. For the Peoples meeting to elect, provided that none engaged in Warre against the Kingdom may elect or be elected, nor any other who oppose this Settlement; 4. For clearing the future power of Parliaments as supreme, onely they may not give away any Foundation of Common Right; 5. For liberty of entring Dissents in the said Representatives, that the People may know who are not fit for future Trusts, but without any further penalty for their free judgements.

Secondly, That no King be hereafter admitted but upon Election of, and as upon Trust from, the People by such their Representatives, not without first disclaiming all pretence to a Negative Voice against the determinations of the Commons in Parliament; and this to be done in some form more clear then heretofore in the Coronation Oath.

These matters of general settlement we propound to be provided by the Authority of the Commons in this Parliament, and to be further established by a general Contract or Agreement of the People with their Subscriptions thereunto. And that no King be admitted to the Crown, nor other person to any Office of publick Trust, without expresse Accord and Subscription to the same.

Four Queries propounded by His MAJESTY, when the Armies Remonstrance was read unto Him at Newport, concerning the intended Trial of His MAJESTY.

1. **W**Hether this Remonstrance be agreeable to the former Declarations of the Army: and if not, whether the Parliament would make good their Votes, that after He had consented to what they desired, He should be in a capacity of Honour, Freedom and Safety.

2. Whether His acknowledgement of the Blood that hath been spilt in the late Warres (nothing being as yet absolutely concluded or binding) could be urged so farre as to be made use of by way of Evidence against Him or any of His Party.

3. Whether the Arguments that He hath used in a free and Personal Treaty, to lessen or extenuate, and avoid the exactness of any of the Conditions, though in manner and form onely, might be charged against Him as an act of Obstinacy, or wilfull persistence in what is alleged against Him, in that He goes on in a destructive course of Enmity against the People and the Laws of the Land, when He hath declared, that His Conscience was satisfied concerning divers particulars in the Propositions.

4. Whereas by the Letter of the Law all persons charged to offend against the Law ought to be tried by their Peers or Equals, what the Law is, if the Person questioned is without a Peer; and if the Law (which of it self is but a dead Letter) seems to condemn him, by what power

power shall Judgement be given, and who shall give it? or from whence shall the administrators of such Judgement derive their power, which may (by the same Law) be deemed the supreme Power or Authority of Magistracy in the Kingdom?

*His MAJESTIES Declaration concerning the Treaty, and
His dislike of the Armies Proceedings.*

*Delivered to one of His Servants at His Departure from the Isle of Wight,
and commanded to be published for the satisfaction of all His Subjects.*

WHen large pretences prove but the shadows of weak performance, then the greatest labours produce the smallest effects; and when a period is put to a work of great concernment, all mens ears do (as it were) hunger till they are satisfied in their expectations. Hath not this distracted Nation groaned a long time under the burden of tyranny and oppression? and hath not all the blood that hath been spilt these seven years been cast upon My Head, Who am the greatest Sufferer, though the least guilty? And was it not requisite to endeavour the stopping of that flux, which, if not stopt, will bring an absolute Destruction to this Nation? And what more speedy way was there to consummate those Distractions then by a *Personall Treaty*, being agreed upon by My two Houses of Parliament, and condescended to by Me? And I might declare, that I conceive it had been the best *Physick*, had not the operation been hindred by the interposition of this imperious Army, who were so audacious as to style Me in their unparallel'd *Remonstrance*, their *Capital Enemy*. But let the world judge whether Mine endeavours have not been attended with reality in this late Treaty; and whether I was not as ready to grant as they were to ask: and yet all this is not satisfaction to them that pursue their own ambitious ends more then the welfare of a miserable Land. Were not the dying hearts of My poor distressed People much revived with the hopes of a Happiness from this Treaty? and how suddenly are they frustrated in their expectations! Have not I formerly been condemned for yielding too little to My two Houses of Parliament; and shall I now be condemned for yielding too much? Have I not formerly been Imprisoned for
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making War; and shall I now be condemned for making Peace? Have I not formerly ruled like a KING; and shall I now be ruled like a Slave? Have I not formerly enjoyed the society of My dear Wife and Children in peace and quietness; and shall I now neither enjoy them nor Peace? Have not My Subjects formerly obeyed Me; and shall I now be obedient to My Subjects? Have I not been condemned for Evil Counsellours; and shall I now be condemned for having no Counsel but God? These are unutterable Miseries, that the more I endeavour for Peace, the less My endeavours are respected; and how shall I know hereafter what to grant, when your selves know not what to ask? I referre it to your consciences, whether I have not satisfied your desires in every particular since this Treaty: if you find I have not, then let Me bear the burthen of the fault; but if I have given you ample satisfaction (as I am sure I have) then you are bound to vindicate Me from the fury of those whose thoughts are filled with blood: though they pretend zeal, yet they are but Wolves in Sheeps cloathing.

I must further declare, that I conceive there is nothing can more obstruct the long-hoped-for peace of this Nation, then the illegal proceedings of them that presume from Servants to become Masters, and labour to bring in Democracy, and to abolish Monarchy. Needs must the total alteration of Fundamentals be not only destructive to others, but in conclusion to themselves; for they that endeavour to Rule by the Sword, shall at last fall by it; for Faction is the Mother of Ruine: and it is the humour of those that are of this weather-cock-like disposition to love nothing but mutabilities, neither will that please them but onely *pro tempore*; for too much variety doth but confound the senses, and makes them still hate one folly, and fall in love with another.

Time is the best cure for Faction: for it will at length (like a spreading leprosie) infect the whole body of the Kingdom, and make it so odious, that at last they will hate themselves for love of that, and, like the Fish, for love of the bait be catch'd with the hook.

I once more declare to all My loving Subjects, and God knows whether or no this may be My last, that I have earnestly laboured for Peace, and that My thoughts were sincere and absolute, without any sinister ends; and there was nothing left undone by Me that

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My Conscience would permit me to doe. And I call God to witness that I do firmly conceive that the interposition of the Army (that cloud of Malice) hath altogether eclips'd the glory of that Peace which began again to shine in this Land. And let the world judge whether it be expedient for an Army to contradict the Votes of a Kingdom, endeavouring, by pretending for Laws and Liberties, to subvert both. Such actions as these must produce strange consequences, and set open the flood-gates of Ruine to overflow this Kingdom in a moment. Had this Treaty been onely Mine own seeking, then they might have had fairer pretences to have stopt the course of it : but I being importun'd by My two Houses, and they by most part of the Kingdom, could not but with a great deal of alacrity concur with them in their desires for the performance of so commodious a work : and I hope by this time that the hearts and eyes of My People are opened so much, that they plainly discover who are the Underminers of this Treaty.

For Mine own part, I here protest before the face of Heaven, that Mine own Afflictions (though they need no addition) afflict Me not so much as My Peoples Sufferings ; for I know what to trust to already, and they know not : God comfort both them and Me, and proportion our Patience to our Sufferings.

And when the Malice of Mine Enemies is spun out to the smallest thred, let them know, that I will, by the grace of God, be as contented to suffer as they are active to advance My Sufferings : and Mine own Soul tells Me, that the time will come when the very clouds shall drop down vengeance upon the heads of those that barricado themselves against the proceedings of Peace : for if God hath proclaimed a blessing to the Peace-makers, needs must the Peace-breakers draw down curses upon their heads.

I thank My God, I have armed My self against their Fury : and now let the arrows of their Envie fly at Me, I have a breast to receive them, and a heart possess'd with Patience to sustain them : for *God is My Rock and My shield* ; therefore *I will not fear what man can doe unto Me*. I will expect the worst ; and if any thing happen beyond My expectation, I will give God the glory : for vain is the help of man.

C. R.

T H E E N D.

AN
A P P E N D I X:
CONTAINING THE PAPERS WHICH PASSED
B E T W I X T
H I S M A J E S T Y
AND THE DIVINES WHICH ATTENDED
THE COMMISSIONERS OF THE TWO
HOUSES AT THE TREATY AT *NEWPORT*,
CONCERNING
C H U R C H - G O V E R N M E N T.

(Mmm 2)

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- I. *His MAJESTIES Reason why He cannot in Conscience consent to abolish the Episcopal Government.* October 2. 1648. p. 677
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I.

*His MAJESTIES Reason why He cannot in Conscience
consent to abolish the Episcopal Government.*

CHARLES R.

I Conceive that *Episcopal* Government is most consonant to the Word of God, and of *Apostolical* Institution, as it appears by the Scripture to have been practised by the Apostles themselves, and by them committed and derived to particular Persons, as their Substitutes or Successors therein (as for Ordaining Presbyters and Deacons, giving Rules for Christian Discipline, and exercising Censures over Presbyters and others) and hath ever since till these last times been exercised by Bishops in all the Churches of Christ: And therefore I cannot in Conscience consent to abolish the said Government.

Acts xiv. 23.
Acts vi. 6.
1 Cor. xvi. 1.
1 Cor. xiv.
1 Cor. v. 3.
111. Joh. 9, 10.
1 Tim. v. 22.
Tit. i. 5.
Revel. ii. 111.
1 Tim. v. 19.
Tit. 111. 10.

Notwithstanding this My perswasion, I shall be glad to be informed, if our Saviour and the Apostles did so leave the Church at liberty, as they might totally alter or change the Church-Government at their pleasure: Which if you can make appear to Me, then I will confess that one of My great Scruples is clean taken away; And then there onely remains,

That being by My Coronation-Oath obliged to maintain Episcopal Government as I found it settled to My hands, Whether I may consent to the abolishing thereof, untill the same shall be evidenced to Me to be contrary to the Word of God.

Newport, 2. Oct. 1648.

II.

An Humble Answer returned to Your Majesties Paper delivered to us
Octob. 2. 1648.

May it please Your Majesty,

1. **W**E do fully agree without hesitation, that these Scriptures cited in the margin of Your Paper, *Acts* xiv. 23. *Acts* vi. 6. *1 Cor.* xvi. 1. *1 Cor.* xiv. 1. *1 Cor.* v. 3. *111. John* 9, & 10. do prove that the Apostles did ordain Presbyters and Deacons, give Rules concerning Christian Discipline, and had power of exercising Censures over Presbyters and others: and that these places of Scripture, *1 Tim.* v. 22. *Tit.* 1. 5. *1 Tim.* v. 19. *Titus* 1. 10. do prove that *Timothy* and *Titus* had power to ordain Presbyters and Deacons, and to exercise censures over Presbyters and others: and that the second and third Chapters of the *Revelation* do prove, That the *Angels* of the Churches had power of governing of the Churches, and exercising Censures.

2. But that either the Apostles, or *Timothy* and *Titus*, or the *Angels* of the Churches were *Bishops*, as Bishops are distinct from Presbyters, exercising Episcopal Government in that sense; or that the Apostles did commit and derive to any particular persons as their Substitutes and Successors any such Episcopal Government; or that this is proved in the least measure by the Scriptures alleged, we do as fully deny. And therefore do humbly deny also, That Episcopal Government is therefore most consonant to the Word of God, and of Apostolical institution, or proved so to be by these Scriptures. None of these were Bishops, or practised Episcopal Government, as Bishops are distinct from Presbyters. Neither is such an Officer of the Church as a Bishop distinct from a Presbyter to be found in the New Testament (by which we humbly conceive that our Faith and Conscience touching this point ought to be concluded.) The Name, Office, and Work of Bishop and Presbyter being one and the same in all things, and never in the least distinguished, as is clearly evident, *Titus* 1. 5, 7. *For this cause left I thee in Crete, that thou shouldest set in order the things that are wanting, and ordain Presbyters in every City, as I had appointed thee. For a Bishop must be blameless.* In which place the Apostle his reasoning were altogether invalid and inconsequent, if Presbyter and Bishop were not the same Office, as well as they have the same Name.

The same is manifest, *Acts* xx. 17, 28. *And from Miletus he sent to Ephesus, and called the Presbyters of the Church, to whom he gave this charge, verse 28. Take heed therefore unto your selves, and to all the Flock over which the Holy Ghost hath made you Bishops, ποιμνιστας, to feed and govern the Church of God.* Where we observe, That the Apostle being to leave these Presbyters, and never to see their faces more, verse 28. doth charge them with the feeding and governing of the Church, as being Bishops of the Holy Ghost's making. But that the Holy Ghost did make any superior or higher kinde of Bishops then these common Presbyters, is not to be found in that or any other Text.

And that under the mouth of two or three witnesses this assertion of ours may stand; we adde to what we have already said, that in *1 Pet.* v. 1, 2. *The Presbyters which are among you I exhort, who am also a Presbyter; Feed the flock of God which is among you, ποιμνομεντες, performing the office of Bishops.* Where it appears plain to us, that under the words ποιμνιστας and ποιμνομεντες, used in this place, is expressed whatsoever work the Presbyters are to doe. Neither can Bishops, so called, as above Presbyters, doe more for the government and good of the Church otherwise then is there expressly enjoined unto Presbyters. By all which that hath been said, the point is rendred to be most clear to the judgement of most men, both ancient and of later times, That there is no such Officer to be found in the Scriptures of the New Testament as a Bishop distinct from a Presbyter: neither doth the Scripture afford us the least notice of any qualification required in a Bishop that is not required

quired in a Presbyter, nor any Ordination to the Office of a Bishop distinct from a Presbyter, nor any work or duty charged upon a Bishop which Presbyters are not enjoined to doe, nor any greater honour or dignity put upon them. For that *double honour* which the Apostle speaks of *1 Tim. v. 17.* as due to Presbyters that *rule well*, is with a note of (*especially*) affixed to that Act or work of *labouring in the Word and Doctrine*, which is not that Act wherein Bishops have challenged a singularity or peculiar eminency above the Presbyters.

To that which Your Majesty doth conceive, *That Episcopal government was practised by the Apostles themselves*; we humbly answer, That the Apostles, as they were the highest Officers of the Church of Christ, so they were extraordinary in respect of their commission, gifts and office, and distinguished from all other Officers, *1 Cor. xii. 28.* *God hath set some in the Church, first, Apostles, secondarily, Prophets, thirdly, Teachers*; *Ephes. iv. 11.* *Christ gave some Apostles, and some Prophets, and some Evangelists, and some Pastors and Teachers.* Where the Apostles are distinguished from Pastors and Teachers, who are the ordinary Officers of the Church for Preaching the Word, and Government. That they had power and authority to ordain Church-Officers, and to exercise Censures in all Churches, we affirm; and withall, that no other Persons or Officers of the Church may challenge or assume to themselves such power in that respect alone, *because the Apostles practised it*: except such power belong unto them in common, as well as to the Apostles, by warrant of the Scripture. For that Government which they practised was Apostolical, according to the peculiar commission and authority which they had, and no otherwise to be called Episcopal, then as their Office was so comprehensive, as they had power to doe the work of any or all other Church-Officers; in which respect they call themselves *Presbyteri, Diaconi*, (but never *Episcopi* in distinct sense:) and therefore we humbly crave leave to say, that to argue the Apostles to have practised Episcopal Government because they ordained other Officers, and exercised Censures, is as if we should argue a Justice of Peace to be a Constable, because he doth that which a Constable doth in some particulars. It's manifest that the Office of Bishops and Presbyters was not distinct in the Apostles. They did not act as Bishops in some Acts, and as Presbyters in other Acts: the distinction of Presbyters and Bishops being made by men in after-times.

And whereas Your Majesty doth conceive that the *Episcopal Government* was by the Apostles *committed and derived to particular persons, as their Substitutes or Successors therein, as for ordaining Presbyters and Deacons, giving rules concerning Christian discipline, and exercising censures over Presbyters and others*, seeming by the alleged places of Scripture to instance in *Timothy* and *Titus*, and the Angels of the Churches; we humbly answer, and first, to that of *Timothy* and *Titus*. We grant that *Timothy* and *Titus* had Authority and Power of ordaining Presbyters and Deacons, and of exercising Censures over Presbyters and others: though we cannot say they had this power as the Apostles Substitutes or Successors in Episcopal Government; nor that they exercised the power they had as being Bishops in the sense of Your Majesty, but as extraordinary Officers or Evangelists, which *Evangelists* were an Office in the Church distinct from Pastors and Teachers, *Eph. iv. 11.* and that they were *Evangelists*, it appears by their being sent up and down by the Apostles, or taken along with them in company to several Churches, as the necessity and occasion of the Churches did require: The one of them being expressly called an *Evangelist*, *1 Tim. iv. 5.* and neither of them being any where in Scripture called *Bishop*. Neither were they fixed to *Ephesus* and *Crete*, as Bishops in the Churches committed to them; but removed from thence to other places, and never, for ought appears in Scripture, returned to them again. And it seems clear to us, that neither their abode at *Ephesus* and *Crete* was for any long time, nor so intended by the Apostle. For he employs them there upon occasional business, and expresses himself in such manner, (*I besought thee to abide still at Ephesus when I went into Macedonia, that thou mightest charge some that they teach no other doctrine*, *1 Tim. 1. 3.* For this cause left

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I thee in Crete, Tit. 1. 5.) as doth not carry the fixing or constituting of a Bishop in a place as perpetual Governour. And it is as manifest that they were both of them called away from these places: *1 Tim. 14. 9. Doe thy diligence to come to me shortly; Tit. 111. 12. Be diligent to come to me to Nicopolis.* So that they may as well be called Bishops of any other Cities or Churches, where they had any considerable abode, as they are pretended to have been of *Ephesus* and *Crete*; as they are called by the *Postscripts* of these Epistles; the credit of which *Postscripts* we cannot build upon in this point.

5. Secondly, To that of the *Angels of the Churches.*

The Ministers of the Churches are called *Stars*, and *Angels*, which denominations are metaphorical and in a *mystery*, *Rev. 1. 20. the mystery of the seven Starres; Angels* in respect of their Mission or sending, *Starres* in respect of their Station and shining. And it seems strange to us, that to so many expresse Testimonies of Scripture, an Allegorical denomination or mystery should be opposed: These *Angels* being no where called *Bishops* in vulgar acceptation; nor the word *Bishop* used in any of *John's* writings, who calls himself *Presbyter*; nor any mention of superiority of one *Presbyter* to another, but in *Diotrephes* affecting it. And as to that which may be said, that the *Epistles* are directed to one, we answer, that a number of persons are in the mysterious and Prophetick writings expressed in singulars; and we humbly conceive, that being written in an Epistolary style, (for they are as Letters or Epistles to the Churches,) these writings are directed as Letters to collective Representative Bodies use to be, that is, to one, but intended and meant to that Body in meeting assembled: which that they were so intended is clear to us, both because there were in *Ephesus* Bishops and Presbyters, one and the same, to whom the Apostle at his farewell commendeth the Government of the Church; and by divers expressions in these Epistles, as *Rev. 11. 24. To you and to the rest in Thyatira*: by which distinction of *you and the rest*, we conceive the particular Governours (which were more then one) and the people to be signified. And so cannot consent that any singular person had majority over the rest, or sole power of exercising Church-Censures and Government spoken of in these Chapters.

6. Having thus (as we humbly conceive) proved by pregnant places of Scripture compared together, that the Apostles themselves did not *institute* or *practise Episcopal Government*, nor *commit and derive it to particular persons, as their Substitutes or Successors therein*; we shall in farther discharge of our duty to, and for the more clear and full satisfaction of, Your Majesty in this point, briefly declare into what Officers hands the ordinary and standing Offices of the Church were transmitted and derived by and from the Apostles. The Apostles had no Successors *in eundem gradum*: the Apostolical Office was not derived by Succession, being instituted by Christ by extraordinary and special Commission. But for the ordinary and standing use and service of the Church, there were ordained onely two Orders of Officers, viz. *Bishops and Deacons*, which the Apostle expresth, *Phil. 1. 1. To all the Saints in Christ Jesus which are at Philippi, with the Bishops and Deacons*; and onely of them doth the Apostle give the due Characters of Officers, *1 Tim. 111. 2, 8.* From both which places of Scripture we conclude with ancient Expositors, both Greek and Latine, that *Bishops* are the same with *Presbyters*, and besides *Presbyters*, there is no mention of any other Order but that of *Deacons*. Of both which Orders in the Apostles times there were in one City more then one, as in *Philippi* and *Ephesus*. And we humbly offer to Your Majesty as observable, That though one Order might be superiour to another Order, yet in the same Order of Officers there was not any one superiour to others of the same Order: No Apostle was above an Apostle; no Evangelist above an Evangelist; no *Presbyter* above a *Presbyter*; no *Deacon* above a *Deacon*. And so we conclude this part, That since Church-Officers are instituted and set in the Church by God or *Christ Jesus*, and that Ordination by or in which the Office is conveyed is of no other Officers but of *Presbyters* and *Deacons*, therefore there are no other Orders of ordinary and standing Officers in the Churches of Christ.

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As for the Ages immediately succeeding the Apostles, we answer, First, Our Faith reaches no farther then the Holy Scriptures: No humane testimony can beget any more then a humane faith. Secondly, we answer, That it is agreed upon by Learned men, as well such as contend for Episcopacy as others, that the times immediately succeeding the Apostles are very dark in respect of the History of the Church. Thirdly, That the most unquestionable Record of those times gives clear testimony to our assertion, viz. The Epistle of *Clemens* to the *Corinthians*, who reciting the Orders of Church-Officers, expressly limits them to two, *Bishops* and *Deacons*, and them whom in one place he calls Bishops, he alwaies afterwards nameth Presbyters. The Epistles of *Ignatius* pretend to the next Antiquity, but are by some suspected as wholly spurious, and proved by *Vedelius* to be so mixed, that it is hard, if not impossible, to know what part of them are genuine: Besides, Bishop *Usher* in his late Observations on them, chap. 18. pag. 138. confesses, that of the twelve of his Epistles, six are counterfeit, the other six mixt, and none of them in every respect to be accounted sincere and genuine. Fourthly, we grant, That not long after the Apostles times, *Bishops* in some superiority to *Presbyters* are by the Writers of those times reported to be in the Church; but they were set up not as a Divine Institution, but as an Ecclesiastical, as afterwards both *Arch-Bishops* and *Patriarchs* were. Which is clear by Doctor *Reynolds* his Epistle to Sir *Fancis Knowles*, wherein he shews out of Bishop *Jewel*, that *Ambrose*, *Chrysostome*, *Jerome*, *Augustine*, and many more holy Fathers, together with the Apostle *Paul*, agree that by the Word of God there is no difference between a *Bishop* and a *Presbyter*: and that *Medina* in the Council of *Trent* affirms not onely the same Fathers, but also another *Jerome*, *Theodoret*, *Primasius*, *Sedulius* and *Theophylact*, to be of the same judgement: and that with them agree *Oecumenius*, *Anselme* Arch-Bishop of *Canterbury*, and another *Anselme*, *Gregory* and *Gratian*, and after them many others: that it was inrolled in the Canon Law for sound and Catholick Doctrine, and publickly taught by Learned men. And addes, that all who have laboured in the Reformation of the Church for these 500. years have taught that all Pastors, be they intituled Bishops or Priests, have equal authority and power by God's word. The same way goes *Lombard* Master of the Sentences; and Father of the Schoolmen, who speaking of Presbyters and Deacons, saith, The Primitive Church had those Orders onely, and that we have the Apostles precept for them alone. With him agree many of the most eminent in that kinde, and generally all the Canonists. To these we may adde *Sixtus Senensis*, who testifies for himself and many others: and *Cassander*, who was called by one of the *Germane* Emperours, as one of singular ability and integrity, to informe him and resolve his Conscience in questions of that nature; who said, It is agreed among all, that in the Apostles times there was no difference between a Bishop and a Presbyter. For a conclusion, we adde that the Doctrine which we have herein propounded to Your Majesty concerning the Identity of the Order of Bishops and Presbyters, is no other then the Doctrine published by King *Henry* the 8. 1543. for all his Subjects to receive, seen and allowed by the Lords both Spiritual and Temporal, with the neather House of Parliament. Of these two Orders only (so saith the Book) that is to say, *Priests* and *Deacons*, Scripture maketh expresse mention, and how they were conferred of the Apostles by Prayer and Imposition of hands. By all which it seems evident, that the order of Episcopacy, as distinct from Presbytery, is but an Ecclesiastical Institution, and therefore not unalterable.

7.

Lastly, we answer, That Episcopal Government which at first obtained in the Church, did really and substantially differ from the Episcopal Government which the Honorable Houses of Parliament desire the abolition of. The Bishop of those times was one presiding, and joyning with the Presbytery of his Church, ruling with them, and not without them: either created and made by the Presbyters chusing out one among themselves, as in *Rome* and *Alexandria*; or chosen by the Church, and confirmed by three or more of his Neighbours of like dignity within the same precinct; lesser Towns and Villages had, and might have, Bishops in them, as well as populous and eminent Cities, untill the Council of *Sardis* decreed;

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that

that Villages and small Cities should have no Bishops, lest the name and authority of a Bishop might thereby come into contempt. But of one claiming as his due and right, to himself alone, as a superior order or degree, all power about Ordination of Presbyters and Deacons, and all jurisdiction, either to exercise himself, or delegate to whom he will of the Laity or Clergy, (as they distinguish) according to the Judgement and Practice of those in our times, we read not till in the latter and corrupter Ages of the Church.

By all which it appears that the present Hierarchy, the abolition whereof is desired by the Honorable Houses, may accordingly be abolished, and yet possibly the Bishops of those Primitive times be. They are so far differing one from another.

9. In answer to that part of Your Majesties Paper, wherein You require whether *our Saviour and his Apostles did so leave the Church at liberty, as they might totally alter or change the Church-Government at their pleasure*; we humbly conceive that there are Substantialls belonging to Church-Government, such as are appointed by Christ and his Apostles, which are not in the Churches liberty to alter at pleasure. But as for *Arch-bishops, &c.* we hope it will appear unto Your Majesties Conscience, that they are none of the Church-Governours appointed by our Saviour and his Apostles. And we beseech Your Majesty to look rather to the Original of them, then Succession.

Octob. 3. 1648.

III.

His MAJESTIES Answer to the Paper delivered to Him by the Divines attending the Parliament's Commissioners, concerning Church-Government.

C. R.

1. **H**IS Majesty upon perusal of your Answer to His Paper of the second of October 1648. findeth that you acknowledge the several Scriptures cited in the Margin to prove the things for which they are cited, viz. That the *Apostles* in their own persons, that *Timothy* and *Titus* by Authority derived from them, and the Angels of the Churches, had power of Church-Government, and did or might actually exercise the same in all the three several branches in His Paper specified: And so in effect you grant all that is desired. For the Bishops challenge no more or other power to belong unto them in respect of their Episcopal Office, as it is distinct from that of Presbyters, then what properly falleth under one of these three, Ordination, giving Rules, and Censures.

2. But when you presently after deny the persons that exercised the
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power aforesaid to have been Bishops, or to have exercised Episcopal Government in that sense, as Bishops are distinct from Presbyters, you do in effect deny the very same thing you had before granted : For Episcopal Government in that sense being nothing else but the Government of the Churches within a certain Precinct (commonly called a *Diocese*) committed to one single person, with sufficient authority over the Presbyters and people of those Churches for that end ; since the substance of the thing it self in all the three forementioned particulars is found in the Scriptures, unless you will strive about names and words (which tendeth to no profit, but to the puzzling and subverting those which seek after truth) you must also acknowledge that Episcopal Government in the sense aforesaid may be sufficiently proved from the Scriptures.

In that which you say next, and for proof thereof insist upon three several Texts, His Majesty conceiveth as to the present business, that the most that can be proved from all or any of those places is this, That the word *Bishop* is there used to signifie *Presbyter*, and that consequently the Office and work mentioned in those places as the Office and work of a *Bishop*, are the Office and work of a *Presbyter* ; which is confest on all sides, although His Majesty is not sure that the proof will reach so far in each of those places. But from thence to inferre an absolute Identity of the Functions of a *Bishop* and a *Presbyter* is a fallacy, which His Majesty observeth to run in a manner quite along your whole Answer : but it appears from the Scriptures, by what you have granted, that single persons (as *Timothy* and *Titus* for example) had Authority to perform such Acts and Offices of Church-Government as His Majesty hath not yet found, by any thing represented unto Him by you or any other from the Scripture, that a single *Presbyter* ever had authority to perform ; which is enough to prove that, the Community of Names in some places notwithstanding, the Functions themselves are in other places by their proper work sufficiently distinguished.

But for the Name *Episcopus* or *Bishop*, His Majesty hath long since learned * from those that are skilful in the Greek tongue, that it imports properly no more then an *Overseer*, one that hath the charge or inspection of some thing committed unto him, as he that is set to watch a Beacon, or to keep sheep : whence in the New Testament,

and

Titus i. 5, 7.
Acts xx 17, 18.
1 Pet. v. 1, 2.

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and in the Ecclesiastical use, it is applied to such persons as have the Care and *Inspection* of the Churches of Christ committed unto them in *Spiritualibus*; as both Bishops and Presbyters have in some sort, but with this difference, that mere *Presbyters* are *Episcopi gregis* onely, they have the *oversight* of the *Flock* in the duties of Preaching, Administration of Sacraments, Publick Prayer, Exhorting, Rebuking, &c. but *Bishops* are *Episcopi gregis* and *Pastorum* too, having the *oversight* of the *Flock* and *Pastors* within their severall Precincts, in the acts of external Government; so that the common work of both Functions is the Ministry of the Gospel, but that which is peculiar to the Function of *Bishops* as distinguished from *Presbyters* is Church-government. It is not therefore to be wondred, if it should happen in the New Testament, the word *Episcopus* to be [usually] applied unto *Presbyters*, who were indeed *Overseers* of the *flock*, rather then unto Church-governours, who had then another Title of greater Eminency whereby to distinguish them from ordinary *Presbyters*, to wit, that of *Apostles*. But when the government of Churches came into the hands of their Successors, the names were by common usage (which is the best Master of words) very soon appropriated, that of *Episcopus* to the Ecclesiastical Governour or *Bishop* of a *Diocese*, and that of *Presbyter* to the ordinary Minister or *Priest*.

His Majesty had rather cause to wonder, That upon such premisses you should conclude with so much confidence, as if the point were rendered most clear to the Judgement of most men, both ancient and of latter times, That there is no such Officer to be found in the Scriptures of the New Testament as a *Bishop* distinct from a *Presbyter*; whenas His Majesty remembreth to have seen cited, by such Authors as He hath no reason to suspect, both out of the ancient Fathers and Councils, and out of sundry modern Writers, even of those Reformed Churches that want *Bishops*, great variety of Testimonies to the contrary.

3. His Majesty is not satisfied with your Answer concerning the Apostles exercise of Episcopal Government, which you would put off, by referring it to their extraordinary Calling. Our Saviour himself was the first and chief Apostle, and Bishop of our Souls, sent by the Father, and Anointed by the Holy Ghost, to be both the Teacher and the Governour of his Church. By that *Mission* he receiv'd Authority

thority, and by his *Unction* ability for those works which he performed in his own person whilst he lived upon the earth: Before he left the world, that the Church might not want Teaching and Governing to the worlds end, he chose certain persons upon whom he conferred both these Powers, whereby they became also Apostles and Bishops, by making them partakers both of his *Mission* before his Ascension (*As my Father sent me, so send I you*) and of his *Unction* shortly after his Ascension, when he poured upon them the Holy Ghost at *Pentecost*. The *Mission* both for teaching and governing (at least for the substance of it) was ordinary, and to continue to the end of the world (*Matth. xxviii. 18, 20.*) and therefore necessarily to descend, and be by them transmitted to others, as their Substitutes and Successors. But the *Unction* whereby they were enabled to both Offices or Functions, by the effusion of the Holy Ghost, in such a plentiful measure of Knowledge, Tongues, Miracles, Prophecies, Healing, Infallibility of Doctrine, discerning of spirits and such like, was indeed extraordinary in them, and in some few others, though in an inferior measure, as God saw it needful for the planting of the Churches and propagation of the Gospel in those Primitive times; and in this (which was indeed extraordinary in them) they were not necessarily to have Successors. But it seems very unreasonable to attribute the exercise of that Power, whether of Teaching or Governing, to an extraordinary calling, which being of necessary and continual use in the Church, must therefore of necessity be the work of a Function of ordinary and perpetual use: Therefore the Acts of Governing of the Church were no more nor otherwise extraordinary in the Apostles, then the Acts of Teaching the Church were; that is to say, both extraordinary for the manner of performance, in respect of their more than ordinary abilities for the same; and yet both ordinary for the substance of the Offices themselves, and the works to be performed therein: and in these two ordinary Offices, their ordinary Successors are *Presbyters* and *Bishops*; *Presbyters* *quà* *Presbyters* immediately succeeding them in the Office of Teaching, and *Bishops* *quà* *Bishops* immediately in the Office of Governing.

The instances of *Timothy* and *Titus* you likewise endeavour to avoid by the pretension of an extraordinary calling. But in this Answer, be-

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sides the insufficiency thereof (if all that is said therein could be proved) His Majesty findeth very little satisfaction.

1. First, you say that *Timothy* and *Titus* were by Office Evangelists; whereas of *Titus* the Scriptures nowhere affirm any such thing at all, and by your own Rule, your Authority without Scripture will beget (if that) but a humane Faith: neither doth the Text clearly prove that *Timothy* was so.

2. Setting aside mens conjectures (which can breed but an humane Faith neither) you cannot make it appear by any Text of Scripture, that the Office of an *Evangelist* is such as you have described it: *The work of an Evangelist* which Saint *Paul* exhorteth *Timothy* to doe, seems by the Context (2 *Tim.* IV. 5.) to be nothing but diligence in preaching the Word, notwithstanding all impediments and oppositions.

3. That which you so confidently affirm, That *Timothy* and *Titus* acted as *Evangelists*, is not onely denied, but clearly refuted by *Sculetus*, *Gerard* and others; yea even with scorn rejected of late (as His Majesty is informed) by some rigid Presbyterians, as *Gillespy*, *Rutherford*, &c. And that which you so confidently deny, that *Timothy* and *Titus* were *Bishops*, is not onely confirmed by the consentient testimony of all Antiquity (even *Jerome* himself having recorded it, that they were *Bishops*, and that of St. *Paul*'s ordination) and acknowledged by very many late Divines; but a Catalogue also of 27. *Bishops* of *Ephesus* lineally succeeding from *Timothy* out of good records, is vouched by Doctor *Reynolds* against *Hart*, and by other Writers.

4. You affirm, but upon very weak proofs, that they were from *Ephesus* and *Crete* removed to other places: Some that have exactly out of Scripture compared the times and orders of the several journeys and stations of *Paul* and *Timothy*, have demonstrated the contrary concerning this particular.

5. Whereas you say it is manifest from the 2 *Tim.* IV. 9. and *Tit.* III. 12. that they were called away from these places; it doth no more conclude that they were not *Bishops* there, or that they might as well be called *Bishops* of other Churches, then it may be concluded from the attendance of the Divines at *Westminster*, that they are no longer Parsons or Vicars of their several Parishes.

Lastly, for the *Postscripts* of these Epistles, though His Majesty lay

lay no great weight upon them, yet He holdeth them to be of great antiquity, and therefore such as in question of fact, where there appears no strong evidence to weaken their belief, ought not to be lightly rejected.

Neither doth His Majesty lay any weight at all upon the Allegory or Mystery of the denomination in the next point concerning the *Angels* of the Churches, as you mistake in your Answer thereunto; wherein His Majesty findes as little satisfaction as in the last point before. The strength of His Majesties instance lay in this, That in the Judgement of all the Ancient and the best Modern Writers, and by many probabilities in the Text it self, the *Angels* of the Seven Churches were *personæ singulares*, and such as had a Prelacy as well over Pastors as People within their Churches, and that is in a word, *Bishops*. And you bring nothing of moment in your Answer to infirm this. You say truly indeed, That those Epistles were written in Epistolary style, and so (as Letters to collective or representative Bodies use to be) directed to one, but intended to the Body: Which when you have proved, you are so far from weakning, that you rather strengthen, the Argument to prove those Angels to have been single persons: as when His Majesty sendeth a Message to His two Houses, and directs it to the Speaker of the House of Peers, His intending it to the whole House doth not hinder but that the Speaker to whom it is directed is one single person still. Yet His Majesty cannot but observe in this (as in some parts of your Answer) how willing you are *versari in generalibus*, and how unwilling to speak out, and to declare plainly and directly what your opinion is concerning those *Angels*, who they were; whether they were, (as the great Antagonist of Episcopacy, *Salmasius*, very peremptorily (*sit ergo hoc fixum, &c.*) affirmeth) the whole Churches; or so many individual Pastors of the gathered Churches in those Cities; or the whole College of Presbyters in the respective Churches; or the singular and individual Presidents of these Colleges: for into so many several Opinions are those few divided among themselves, who have divided themselves from the common and received judgement of the Christian Church.

In the following discourse, you deny that the Apostles were to
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have any Successors in their Office, and affirm that there were to be onely two Orders of ordinary and standing Officers in the Church, viz. *Presbyters* and *Deacons*.

What His Majesty conceiveth concerning the Successors of the Apostles is in part already declared, viz. That they have no Successors *in eundem gradum*, in respect of those things that were extraordinary in them, as namely the measure of their Gifts, the extent of their Charge, the infallibility of their Doctrine, and (which is sundry times mentioned as a special Character of an *Apostle* properly so called) the having *seen Christ in the flesh*. But in those things that were not extraordinary (and such those things are to be judged which are necessary for the service of the Church in all times, as the Office of *Teaching* and the power of *Governing* are) they were to have and had Successors; and therefore the Learned and Godly Fathers and Councils of old times did usually style Bishops the Successors of the Apostles, without ever scrupling thereat.

And as to the standing Offices of the Church, although in the places by you cited, *Phil. i. i. i Tim. III. 8.* there be no mention of *Bishops* as distinct from *Presbyters*, but of the two Orders only of *Bishops* or *Presbyters* and *Deacons*; yet it is not thereby proved that there is no other standing Office in the Church besides: For there appear two other manifest reasons, why that of *Bishops* might not be so proper to be mentioned in those places; the one, because in the Churches which the Apostles themselves planted, they placed *Presbyters* under them for the Office of *Teaching*, but took upon themselves the care, and reserved in their own hands the power of *Governing* in those Churches, for a longer or shorter time, as they saw it expedient for the propagating of the Gospel, before they set Bishops over them; and so it may be probable that there was as yet no Bishop set over the Church of *Philippi*, when Saint *Paul* writ his Epistle to them. The other, because in the Epistles to *Timothy* and *Titus*, the persons to whom he wrote being themselves *Bishops*, there was no need to write any thing concerning the choice or qualification of any other sort of Officers then such as belonged to their ordination or inspection, which were *Presbyters* and *Deacons* onely, and not Bishops.

1. His Majesty believeth, that although Faith, as it is an assent unto Truth supernatural or of Divine revelation, reacheth no further then the Scriptures, yet in matters of fact, humane Testimonies may beget a Faith, though humane, yet certain and infallible; as by the credit of Histories we have an infallible Faith that *Aristotle* was a Greek Philosopher, and *Cicero* a Roman Orator.

2. The darkness of those times in respect of the History of the Church is a very strong Argument for Episcopacy; which notwithstanding the darkness of the times hath found so full and clear a proof, by the unquestioned Catalogues extant in ancient Writers of the Bishops of sundry famous Cities, as *Jerusalem*, *Antioch*, *Alexandria*, *Rome*, *Ephesus*, &c. in a continued succession from the Apostles, as scarce any other matter of fact hath found the like.

3. In *Clement's* Testimony cited by you, His Majesty conceiveth you make use of your old fallacy, from the promiscuous use of the words to infer the indistinction of the things: for who can doubt of *Clement's* Opinion concerning the distinct Offices of Bishops and Presbyters, who either readeth his whole Epistle, or considereth that he himself was a Bishop in that sense, even by the confession of *Vedelius* himself, a man never yet suspected to favour Bishops, who * saith, that after the death of *Linus* and *Cletus*, *Clemens* * Exercit. 8: in Ignat. c. 3: *solus Episcopi nomen retinuit, quia jam invaluerat distinctio Episcopi & Presbyteri?* And for *Ignatius* Epistles, though some of late, out of their partial disaffection to Bishops, have endeavoured to discredit the whole Volume of them by all possible means, without any regard either of ingenuity or truth; yet sundry of them are such as, being attested by the Suffrages of Antiquity, cannot with any forehead be denied to be his; and there is scarce any of them which doth not give testimony to the Prelacy of a Bishop above a Presbyter: *Ignatius* himself also was a Bishop of *Antioch*, and a holy Martyr for the Faith of Christ.

4. You grant that not long after the Apostles times Bishops are found in the Writers of those times, as in some superiority to Presbyters; but you might have added farther out of these Writers (if you had pleased) that they were some of them, as *James* at *Jerusalem*, *Timothy* at *Ephesus*, *Titus* in *Crete*, *Mark* at *Alexandria*, *Linus* and *Clement* at *Rome*, *Polycarpus* at *Smyrna*, constituted and ordained

Bishops of these places by the Apostles themselves, and all of them reputed Successors to the Apostles in their Episcopal Office: And His Majesty presumeth you could not be ignorant that all or most of the testimonies you recite of the ancient Fathers, Writers of the middle ages, Schoolmen and Canonists, and the Book published under King Hen. the 8. do but either import the promiscuous and indifferent use of the names of *Bishops* and *Presbyters*, whereof advantage ought not to be made to take away the difference of the things; or else they relate to a School-point (which in respect of the thing it self is but a very nicety) disputed *pro* and *con* by curious questionists, *Utrum Episcopatus sit ordo vel gradus*, both sides in the mean time acknowledging the right of Church-government to be in the Bishops alone, and not in the Presbyters; as also that there may be produced either from the very same Writers, or from others of as good authority or credit, testimonies both for number and clearness far beyond those by you mentioned, to assert the three different Degrees or Orders (call them whether you will) of Ecclesiastical Functions, (*viz.*) the *Bishop*, the *Presbyter*, and the *Deacon*.

8. As to that which you adde lastly, concerning the difference between Primitive Episcopacy and the present Hierarchy, albeit His Majesty doth not conceive that the accessions or additions granted by the favour of His Royal Progenitors, for the enlarging of the Power or Privileges of Bishops, have made, or indeed can make, the Government really and substantially to differ from what formerly it was, no more then the addition of Arms or Ornaments can make a body really and substantially to differ from it self naked or devided of the same; nor can think it either necessary or yet expedient that the elections of the Bishops, or some other Circumstantials touching their Persons or Office, should be in all respects the same under Christian Princes, as it was when Christians lived among Pagans and under Persecution: yet His Majesty so far approveth of your Answer in that behalf, that He thinketh it well worthy the studies and endeavours of the Divines of both Opinions, laying aside Emulation and private Interests, to reduce Episcopacy and Presbytery into such a well-proportioned Form of Superiority and Subordination as may best resemble the Apostolical and
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Primitive times, so far forth as the different condition of times and the exigences of all considerable circumstances will admit, so as the Power of Church-Government in the particular of Ordination, which is merely spiritual, may remain *Authoritative* in the Bishop, but that Power not to be exercised without the concurrence or assistance of his Presbytery, as *Timothy* was ordained by the authority of *S^t Paul*, *II Tim. I. 6.* but with the concurrence or assistance of the Presbytery, *I Tim. IV. 14.* Other powers of Government which belong to Jurisdiction, though they are in the Bishops, (as before is exprest) yet the outward exercise of them may be ordered and disposed or limited by the Sovereign power, to which by the Laws of the Land and the acknowledgement of the Clergy they are subordinate: but His Majesty doubteth whether it be in your power to give Him any present assurance, that in the desired Abolition of the present Hierarchy, the utter abolishing of Episcopacy, and consequently of the Primitive Episcopacy, is neither included nor intended.

As to the last part of His Majesties Paper, His Majesty would have been better satisfied, if you had been more particular in your Answer thereunto. You tell Him in general, that there are *Substantials* in Church-Government appointed by Christ, &c. but you neither say what those *Substantials* are, nor in whose hands they are left: whereas His Majesty expected that you should have declared your opinions clearly, whether Christ or his Apostles left any certain Form of Government to be observed in all Christian Churches; then, whether the same binds all Churches to the perpetual observation thereof, or whether they may upon occasion alter the same, either in whole or in part; likewise, whether that certain Form of Government which Christ and his Apostles have appointed as perpetual and unalterable (if they have appointed any such at all) be the Episcopal, or the Presbyterian, or some other differing from them both.

And whereas in the conclusion you beseech His Majesty to look rather to the *Original* of Bishops than to their *Succeſſion*; His Majesty thinks it needfull to look at both; especially since their *Succeſſion* is the best clue, the most certain and ready way to find out their *Original*.

His Majesty having returned you this Answer, doth profess, that as whatsoever was of weight in yours shall have influence on Him; so He doubts not but somewhat may appear to you in His which was not so clear to you before: and if this Debate may have this end, that it dispose others to the temper of accepting Reason, as it shall Him of endeavouring to give satisfaction in all He can to His two Houses, His Majesty believes though it hath taken up, it hath not mis-spent His time.

Newport, Octob. 6.

IV.

The Humble Answer of the Divines attending the Honorable Commissioners of Parliament at the Treaty at Newport in the Isle of Wight, to the Second Paper delivered to them by His Majesty, Octob. 6. 1648. Delivered to His Majesty, Octob. 17.

May it please Your Majesty,

1. **A**S in our Paper of *October* the third, in Answer to Your Majesties of *October* the second, we did, so now again we do, acknowledge that the Scriptures cited in the Margin of Your Majesties Paper do prove, that the Apostles in their own persons, that *Timothy* and *Titus*, and the Angels of the Churches, had power respectively to doe those things which are in those places of Scripture specified: But as then, so now also we humbly do deny, that any of the persons or Officers fore-mentioned were *Bishops*, as distinct from *Presbyters*, or did exercise Episcopal Government in that sense; or that this was in the least measure proved by the alleged Scriptures. And therefore our Negative not being to the same point or state of the Question which was affirmed, we humbly conceive that we should not be interpreted to have, in effect, denied the very same thing which we had before granted, or to have acknowledged that the several Scriptures do prove the thing for which they are cited by Your Majesty. And if that which we granted were all that, by the Scriptures cited in Your Margin, Your Majesty intended to prove; it will follow, that nothing hath yet been proved on Your Majesties part, to make up that Conclusion which is pretended.

2. As then we stood upon the Negative to that Assertion, so we now crave leave to represent to Your Majesty, that Your Reply doth not infirme the Evidence given in maintenance thereof. The reason given by Your Majesty in this Paper to support Your Assertion, That the persons that exercised the power aforesaid were Bishops in distinct sense, is taken from a description of Episcopal Government, which is (as Your Majesty saith) *nothing else but the Government of the Churches within a certain Precinct (commonly called a Diocese) committed to one single person, with sufficient authority over the Presbyters and people of those Churches for that end: which Government so described being for substance of the thing it self in all the three forementioned particulars (Ordaining, giving rules of Discipline, and Censures) found in Scriptures, except we will contend about names and words, must be acknowledged in the sense aforesaid to be sufficiently proved from Scriptures.* And Your Majesty saith farther, that

that the Bishops do not challenge more or other power to belong to them, in respect of their Episcopal Office, as it is distinct from that of Presbyters, then what properly falls under one of those three.

We desire to speak both to the Bishops Challenge, and to Your Majesties Description of Episcopal Government. And first to their Challenge, because it is first expressed in Your Majesties Reply.

The Challenge we undertake in two respects: 1. in respect of the Power challenged, 2. in respect of that ground or Tenure upon which the claim is laid. The Power challenged consists of three particulars; *Ordaining, giving Rules of Discipline, and Censures*: No more, no other, in respect of their Episcopal Office. We see not by what warrant this Writ of partition is taken forth by which the Apostolical Office is thus shared or divided; the *Governing* part into the Bishops hands, the *Teaching and administering Sacraments* into the Presbyters. For besides that the Scripture makes no such inclosure or partition-wall, it appears, the challenge is grown to more then was pretended unto in the times of grown Episcopacy. *Jerome* and *Chrysostome* do both acknowledge for their time, that the Bishop and Presbyter differed onely in the matter of *Ordination*: and learned Doctor *Bilson* makes some abatement in the claim of *three*, saying, the things proper to Bishops, which might not be common to Presbyters, are singularity of Succeeding, and superiority in Ordaining.

The Tenure or ground upon which the claim is made is *Apostolical*, which with us is all one with *Divine Institution*. And this, as far as we have learned, hath not been anciently, openly, or generally avowed in this Church of England, either in time of Popery, or of the first Reformation; and whensoever the pretension hath been made, it was not without the contradiction of learned and godly men. The abettors of the challenge, that they might resolve it at last into the Scripture, did chuse the most plausible way of ascending by the scale of *Succeſſion*, going up the River to finde the Head: but when they came to Scriptures, and found it like the head of Nile (which cannot be found) they shrouded it under the name and countenance of the *Angels of the Churches*, and of *Timothy* and *Titus*. Those that would carry it higher, endeavored to impe it into the *Apostolical Office*, and so at last called it a *Divine Institution*, not in force of any expreſſ precept, but *implicite practice* of the Apostles; & so the *Apostolical Office* (excepting the gifts or enablements confest only extraordinary) is brought down to be *Episcopal*, and the *Episcopal* raised up to be *Apostolical*. Whereupon it follows, that the highest Officers in the Church are put into a lower orb; an extraordinary Office turned into an ordinary, a distinct Office confounded with that which in the Scripture is not found, a temporary & an extinct Office revived. And indeed if the definitions of both be rightly made, they are so incompetible to the same subject, that he that will take both must lose the one; *aut Apostolus Episcopatum, aut Apostolatum Episcopus*: For the Apostles, though they did not in many things act aliud, yet they acted *alio nomine & alio munere*, then Presbyters or Bishops do: and if they were indeed Bishops, and their Government properly Episcopal in distinct sense, then it is not needful to goe so far about to prove Episcopal government of *Divine Institution*, because they practised it; but to assert expreſſly, that Christ instituted it immediately in them.

For Your Majesties Definition of Episcopal Government, it is extracted out of the Bishops of later date then Scripture-times, and doth not sute to that Meridian under which there were more Bishops then one in a Precinct or Church; and it is as fully competent to Archiepiscopal and Patriarchal Government, as Episcopal. The parts of this definition, *materially* and *abstractly* considered, may be found in Scripture. The Apostles, *Timothy* and *Titus*, were single persons, but not limited to a Precinct: The Government of the *Angel* was limited to a Precinct, but not in single persons. In several Offices, not to be confounded, the parts of this definition may be found; but the aggregation of them all together into one ordinary Officer cannot be found. And if that word, *ordinary*, and *standing Government*, had been made

made the *Genus* in Your Majesties Definition (as it ought to be) we should crave leave to say it would be *gratis dictum*, if not *petitio principii*: for the Scripture doth not put all these parts together in a Bishop, who never borrowed of *Apostles*, *Evangelists*, and *Angels*, the matter of Governing and Ordaining, and left the other of Teaching, dispensing Sacraments, and dealing onely *in foro interno*, to Presbyters, untill after-times. By this that hath been said it is manifest enough, that we contend not, first, *de nomine*, about the Name of Episcopal Government; which yet (though names serve for *distinction*) is not called or distinguished by that name in Scripture: nor, secondly, *de opere*, about the Work, whether the work of Governing, Ordering, Preaching, &c. be of continuance in the Church, which we clearly acknowledge: But, thirdly, *de munere*, about the Office, it being a great fallacy to argue, That the Apostles did the same work which Bishops or Presbyters are to doe in ordinary; Therefore they were of the same Office. For as it is said of the liberal and learned Arts, one and the same thing may be handled in divers of them, and yet these Arts are distinguisht by the *formalis ratio* of handling of them: so we say of Offices, they are distinguisht by their Callings and Commissions, though not by the work; as all those that are named Eph. iv. 11. *Apostles*, *Prophets*, *Evangelists*, *Pastors* and *Teachers*, are designed to one and the same general and common work, *the work of the Ministry*, ver. 12. and yet they are not therefore all one; for it's said, *some* Apostles, *some* Prophets, *some* Evangelists, and *some* Pastors and Teachers. A Dictator in Rome and an ordinary Tribune, Moses and the subordinate Governours of Israel, the Court of Parliament and of the Kings-Bench, an Apostle and a Presbyter or Deacon, may agree in some common work, and yet no confusion of Offices follows thereupon.

7. To that which Your Majesty conceives, that the most that can be proved from all or any of those places by us alleged (to prove that the Name, Office, and Work of Bishops and Presbyters is one and the same in all things, and not in the least distinguisht) is, *That the word Bishop is used in them to signifie a Presbyter, and that consequently the Office and Work mentioned in those places as the Office and Work of a Bishop are the Office of a Presbyter, which is confessed on all sides*; we make this humble return, That though there be no supposition so much as implied that the Office of a Bishop and a Presbyter are distinct in any thing (for the names are mutually reciprocal,) yet we take Your Majesties Concession, that in these times of the Church and places of Scripture there was no distinct Office of Bishops and Presbyters; and consequently, that the identity of the Office must stand, until there can be found a clear distinction or division in the Scriptures. And if we had argued the identity of Functions from the Community of names and some part of the work, the Argument might have been justly termed a fallacy; but we proved them the same Office from the same work, *per omnia*, being allowed so to doe by the fulness of those two words used in the Acts and S. Peter his Epistle, *ποιμαίνον* and *ἐπισκοπεῖν*, under the force of which words the Bishops claim their whole power of Government and Jurisdiction: and we found no little weight added to our Argument from that in the Acts, where the Apostle departing from the Ephesian Presbyters or Bishops, as never to see their faces more, commits (as by a final charge) the Government of that Church, both over particular Presbyters and people, not to Timothy, who then stood at his elbow, but to the Presbyters, under the name of Bishops, made by the Holy Ghost; whom we read to have set many Bishops over one Church, not one over either one or many. And the Apostles arguing from the same Qualification of a Presbyter and of a Bishop in order to Ordination or putting him into Office, fully proves them to be two names of the same Order or Function; the diverse Orders of Presbyter and Deacon being diversly characterised. Upon these grounds (we hope without fallacy) we conceive it justly proved, that a Bishop and a Presbyter are wholly the same. That Timothy and Titus were single persons, having authority of Government, we acknowledge; but deny that from thence any argument can be made unto either single Bishop

Bishop or *Presbyter*: for though a single *Presbyter* by the power of his Order (as they call it) may preach the Word and dispense the Sacraments; yet by that example of the *Presbytery*, their *Laying on of hands*, and that Rule of *Telling the Church* in matter of scandal, it seems manifest that Ordination and Censures are not to be exercised by a *single Presbyter*: neither hath Your Majesty hitherto proved either the names of Bishops and Presbyters, or the Function, to be in other places of Scripture at all distinguished; You having wholly waved the notice or answer of that we did assert (and do yet desire some demonstration of the contrary) *viç.* That the Scripture doth not afford us the least notice of any *Qualification*, any *Ordination*, any work or duty, any *honour* peculiarly belonging to a Bishop distinct from a *Presbyter*; the assignment of which, or any of them, unto a Bishop, by the Scripture, would put this Question near to an issue. That God should intend a distinct and highest kind of Officer for Government in the Church, and yet not express any qualification, work, or way of constituting and ordaining of him, seems unto us improbable.

Concerning the signification of the word *Episcopus*, importing an *Overseer*, or one that hath a charge committed to him, for instance, of *watching* a Beacon, or *keeping* sheep, and the application of the name to such persons as have inspection of the Churches of Christ committed to them in *spiritualibus*; we also give our suffrage: but not to that distinction of *Episcopus gregis*, and *Episcopus pastorum & gregis*; both because it is the *τὸ κενομένον* or point in question; and also because Your Majesty having signified that *Episcopus* imports a *keeper of sheep*, yet You have not said that it signifies also a *keeper of shepherds*. As to that which is affirmed by Your Majesty, that the *peculiar* of the *Function of Bishops is Church-Government*; and that the reason why the word *Episcopus* is usually applied to *Presbytery*, was because Church-Governours had then another title of greater eminency, to wit, that of *Apostles*, until the *Government of the Church came into the hands of their Successors*, and then the names were by common usage very soon appropriated, that of *Episcopus* to *Ecclesiastical Governours*, that of *Presbyter* to the ordinary *Ministers*: This assertion Your Majesty is pleased to make without any demonstration; for whom the Scripture calls *Presbyters*, *Rulers*, and *Pastors* and *Teachers*, it calls *Governours*, and commits to them the charge of feeding and inspection, as we have proved, and that without any mention of *Church-Government* peculiar to a Bishop. We deny not but some of the Fathers have conceived the notion that Bishops were called *Apostles*, till the names of *Presbyter* and *Episcopus* became appropriate; which is either an allusion or conceit, without Evidence of Scripture: for while the Function was one, the names were not divided; when the Function was divided, the name was divided also, and indeed improper: but we that look for the same warrant for the division of an Office as for the Constitution, cannot find that this appropriation of names was made till afterwards, or in process of time, as *Theodore* (one of the Fathers of this conceit) affirms, whose saying, when it is run out of the pale of Scripture-time, we can no further follow. From which premises laid all together, we did conclude the clearness of our assertion, that in the *Scriptures* of the *New Testament*, a Bishop distinct from a *Presbyter* in *Qualification*, *Ordination*, *Office* or *Dignity*, is not found: the contrary whereof though Your Majesty saith that You have seen confirmed by *great variety of credible Testimony*, yet we believe those Testimonies are rather strong in asserting, then in demonstrating the Scripture-Original of a Bishop, which is declared against by a cloud of Witnesses, named in the latter end of our former Answer, unto which we should refer, if matter of right were not properly triable by Scripture, as matter of Fact is by Testimony.

We said that the *Apostles* were the highest Order of Officers of the Church; that they were extraordinary; that they were distinguished from all other Officers; and that their Government was not *Episcopal*, but *Apostolical*. To which Answer Your Majesty, being not satisfied, doth oppose certain Assertions, That *Christ himself* and the *Apostles* received their *Authority* by *Mission*, their *Ability* by *Unction*; That

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the *Mission* of the Apostles was ordinary, and to continue to the end of the world, but the *Unction*, whereby they were enabled to both Offices and Functions, Teaching and Governing, was indeed extraordinary; That in their *Unction* they were not necessarily to have Successors, but necessarily in their *Mission* or Office of Teaching and Governing; That in these two ordinary Offices, their ordinary Successors are Presbyters and Bishops; That Presbyters *quà* Presbyters do immediately succeed them in the Office of Teaching, and Bishops *quà* Bishops immediately in the Office of Governing: the demonstration of which last alone would have carried in it more conviction than all these Assertions put together. Officers are distinguished by that whereby they are constituted, their Commission, which being produced signed by one place of Scripture, gives surer evidence than a Pedigree drawn forth by such a series of distinctions as do not distinguish him into another Officer from a Presbyter. Whether this chain of distinction be strong, and the links of it sufficiently tackt together, we crave leave to examine. Christ, saith Your Majesty, was the *Apostle* and *Bishop* of our Souls, and he made the Apostles both Apostles and Bishops. We do not conceive that Your Majesty means that the Apostles succeeded Christ as the chief Apostle, and that as Bishops they succeed Christ as a Bishop, lest thereby Christ his *Mission* as an *Apostle* and *Bishop* might be conceived as ordinary as their *Mission* is said to be: but we apprehend Your Majesty to mean, that the Office of *Apostle* and *Bishop* was eminently contained in Christs Office, as the Office of a Bishop was eminently contained in that of Apostleship: but thence it will not follow that *inferiour* Offices being contained in the *superiour* eminently, are therefore existent in it *formally*. For because all Honours and Dignities are eminently contained in Your Majesty, would it therefore follow that Your Majesty is *formally* and *distinctly* a Baron of the Realm, as it is asserted, the Apostles to have been Bishops in distinct sense? That *Mission* refers to Office and Authority, and *Unction* onely to Ability, we cannot consent: for besides that the breathing of Christ upon his Disciples, saying, *Receive ye the Holy Ghost*, doth refer to *mission* as well as *unction*; we conceive that in the proper anointing of Kings or other Officers, the natural use and effect of the oil upon the body was not so much intended, as the solemn and ceremonious use of it in the inauguration of them. So there is relation to Office in unction, as well as to conferring of abilities; else how are Kings or Priests or Prophets said to be anointed? And what good sense could be made of that expression in Scripture, of anointing one in anothers room? To omit, that Christ by this construction should be called the *Messias* in respect of Abilities onely. And although we should grant Your Majesties explication of *Mission* and *Unction*; yet it will not follow that the *mission* of the Apostles was ordinary, and their *unction* onely extraordinary. That into which there is succession, was ordinary; that into which there is no succession, (for succession is not unto abilities or gifts) extraordinary: and so the Apostles were ordinary Officers in all whereunto there is properly any succession, and that is *Office*. They differed from Bishops in that wherein one Apostle or Officer of the same order might differ from another, to wit, in abilities and measure of Spirit, but not in that wherein one order of Officers is above another by their Office; To which we cannot give consent. For since no man is denominated an Officer from his mere abilities or gifts; so neither can the Apostles be called extraordinary Officers because of extraordinary gifts: but that the Apostles *Mission* and Office (as their abilities) was extraordinary and temporary, doth appear in that it was by immediate Commission from Christ, without any intervention of men, either in Election or Ordination, for planting an authoritative governing of all Churches through the World, comprehending in it all other Officers of the Church whatsoever: and therefore it seems to us very unreasonable that the Office and Authority of the Apostles should be drawn down to an ordinary, thereby to make it, as it were, a fit *stock* into which the ordinary Office of a Bishop may be *ingrafted*; nor doth the continuance of Teaching and Governing in the Church more render the Office of teaching and governing in the Apostles an ordinary Office, then the Office of teaching and governing in Christ himself renders his Office therefore ordinary. The reason given, That the Office of Teaching and Governing was ordinary in the Apostles, because of the continuance of them in the Church (we crave leave to say) is that great mistake which

runs through the whole file of Your Majesties Discourse: for though there be a Succession in the *Work* of Teaching and Governing, yet there is no Succession in the *Commission* or *Office* by which the Apostles performed them; for the Office of *Christ*, of *Apostles*, of *Evangelists* or *Prophets*, is thence also concluded ordinary, as to *Teaching* and *Governing*, and the distinction of Offices Extraordinary and Ordinary *eatenus* destroyed. The Succession may be into the same *Work*, not into the same *Commission* and *Office*: the Ordinary Officers, which are to manage the work of Teaching and Government, are constituted, settled and limited by warrant of Scripture, as by another Commission then that which the Apostles had. And if Your Majesty had shewn us some Record out of Scripture, warranting the division of the office of Teaching and Governing into two hands, and the appropriation of Teaching to Presbyters, of Governing to Bishops, the question had been determined; otherwise we must look upon the dissolving of the Apostolical Office, and distribution of it into these two hands, as the dictate of men who have a minde, by such a precarious Argument, to challenge to themselves the *Keyes of Authority*, and leave the *Word* to the Presbyters.

In our answer to the instances of *Timothy* and *Titus* (which Doctor *Bilson* acknowledgeth to be the main erection of Episcopal power, if the proof of their being Bishops do stand; or subversion, if the answer that they were Evangelists be good) Your Majesty finds very little satisfaction, though all that is said therein could be proved.

10.

First, because the *Scriptures* nowhere imply any such thing at all, that *Titus* was an *Evangelist*, neither doth the text clearly prove that *Timothy* was so.

1. The name of *Bishop* the Scripture neither expressly nor by implication gives to either; the work which they are injoyed to doe is common to Apostles, Evangelists, Pastors and Teachers, and cannot of it self make a character of one distinct and proper Office: But that there was such an Order of Officers in the Church as *Evangelists* reckoned amongst the extraordinary and temporary Offices, and that *Timothy* was one of that Order, and that both *Timothy* and *Titus* were not ordained to one particular Church, but were companions and fellow-Labourers with the Apostles, sent abroad to several Churches as occasion did require, it is (as we humbly conceive) clear enough in Scripture, and not denied by the learned defenders of Episcopal Government, nor (as we remember) by *Scultetus* himself, during the time of their travails.

2. To that which Your Majesty secondly saith, That we cannot make it appear by any Text of Scripture that the Office of *Evangelist* is such as we have described, his work seeming, 11 Tim. viii. 4, 5. to be nothing else but diligence in preaching the word, notwithstanding all impediments and oppositions; we humbly answer, that exact definitions of these or other Church-Officers are hard to be found in any Text of Scripture, but by comparing one place of Scripture with another, it may be proved as well what they were, as what the *Apostles* and *Presbyters* were, the description by us given being a Character made up by collation of Scriptures; from which Mr *Hooker* doth not much vary, saying, that *Evangelists* were *Presbyters* of principal sufficiency, whom the *Apostles* sent abroad and used as Agents in Ecclesiastical Affairs, wheresoever they saw need. And that *Pastors* and *Teachers* were settled in some certain charge, and thereby differed from *Evangelists*, whose work that it should be nothing but diligence in preaching, &c. which is common to Apostles, Evangelists, Pastors and Teachers, and so not distinctive of this particular Office, argueth to us, that as the Apostles Office was divided into Episcopal and Apostolical, so this also is to be divided into Episcopal and Evangelistical, Ordination and Censures belonging to *Timothy* as to a *Bishop*, and diligence in Preaching only being left to the *Evangelist*: which division (as we humbly conceive) is not warranted by the Scripture.

11.

Thirdly, Your Majesty saith, that that which we so confidently affirm of *Timothy* and *Titus* their acting as *Evangelists*, is by some denied and refuted, yea even with scorn rejected by some rigid Presbyterians; and that which we so confidently deny, that they were *Bishops*, is confirmed by the consentient testimony of all antiquity, recorded

12.

by Jerome himself that they were Bishops of Paul's ordination, acknowledged by very many late Divines, and that a Catalogue of 27 Bishops of Ephesus lineally succeeding from Timothy, out of good Record, is vouched by Dr. Reynolds and other Writers.

Our confidence (as Your Majesty is pleased to call it) was in our Answer exprest in these words, *We cannot say that Timothy and Titus were Bishops in the sense of Your Majesty, but extraordinary Officers or Evangelists*: in which opinion we were then clear, not out of a total ignorance of those Testimonies which might be alleged against it, but from intrinsic arguments out of Scripture, from which Your Majesty hath not produced any one to the contrary. Nor is our confidence weakened by such replies as these, *The Scripture never calls them Bishops, but the Fathers do*; *The Scripture calls Timothy an Evangelist*, some of late have refuted it and rejected it with scorn; *The Scripture relates their motions from Church to Church, but some affirm them to be fixed at Ephesus & in Crete*; *The Scripture makes distinction of Evangelists and Pastors*, but some say that *Timothy & Titus* were both. We cannot give Your Majesty a present account of *Sculletus* and *Gerard's* Arguments, but do believe that Mr. *Gillespy* and *Rutherford* are able with greater strength to refute that opinion of *Timothy* and *Titus* their being *Bishops*, then they do (if they do) with scorn reject this of their being *Evangelists*. As for *Testimonies* and *Catalogues*, though we undervalue them not, yet Your Majesty will be pleased to allow us the use of our Reason, so far as not to erect an Office in the Church which is not found in Scripture, upon general appellations or titles, and allusions frequently found in the Fathers, especially when they speak vulgarly, and not as to a point in debate; for even *Jerome*, who, as Your Majesty saith, doth record that *Timothy* and *Titus* were made *Bishops*, and that of *St. Paul's* Ordination, doth, when he speaks to the point between Your Majesty and us, give the Bishops to understand that they are superior to Presbyters *consuetudine magis quam Dominice veritatis dispositione*. For *Catalogues*, their credit rests upon the first witnesses, from whom they are reported by tradition from hand to hand, whose writings are many times *suppositions*, *dubious*, or not extant: besides that these *Catalogues* do resolve themselves into some *Apostle* or *Evangelist* as the first *Bishop*, as the catalogue of *Jerusalem* into the *Apostle James*, that of *Antioch* into *Peter*, that of *Rome* into *Peter* and *Paul*, that of *Alexandria* into *Mark*, that of *Ephesus* into *Timothy*; which Apostles and Evangelists can neither themselves be degraded by being made Bishops, nor be succeeded in their proper Calling or Office: and it is easie for us to proceed the same way, and to finde many ancient rites and customes generally received in the Church (counted by the ancients *Apostolical traditions*) as near the Apostles times as Bishops, which yet are confessedly not of *Divine institution*. And further, if *Timothy* and the rest that are first in the catalogue were Bishops with such sole Power of Ordination and Censures as is asserted, how came their pretended Successors, who were but *primi Presbyterorum* (as the Fathers themselves call them) to lose so much Episcopal power as was in their Predecessors, and as was not recovered in 300 years? And therefore we cannot upon any thing yet said recede from that of our Saviour, *Ab initio non fuit sic*, from the beginning it was not so.

13.

4. Your Majesty saith, that we affirm, but upon very weak proofs, that they were from Ephesus and Crete removed to other places, the contrary whereunto hath been demonstrated by some, who have exactly out of Scripture compared the times and order of the several Journeys and Stations of Paul and Timothy.

It is confessed that our assertion, that *Timothy* and *Titus* were *Evangelists*, lies with some stress upon this, that they removed from place to place, as they were sent by or accompanied the Apostles; the proof whereof appears to us to be of greater strength then can be taken off by the comparison which Your Majesty makes of the *Divines of the Assembly at Westminster*. We begin with the travails of *Timothy*, as we finde them in order recorded in the Scripture-places cited in the Margin, and we set forth from (a) *Berea*, where we finde *Timothy*; then next at (b) *Athens*, from whence Paul sends him to (c) *Thessalonica*; afterward having been in *Macedonia*, he came to Paul at (d) *Corinth*; and after that he is with Paul at *Ephesus*, and thence sent by him into

a AG. XVII. 14.
b 15. c 1 Thes.
III. 1, 2.
d AG. XVIII. 5.

into (a) Macedonia, whither Paul went after him, and was by Timothy accompanied into (b) Asia, who was with him at (c) Troas and (d) Miletus, to which place S. Paul sent for the Presbyters of the Church in Ephesus, and gave them that solemn charge to take heed unto themselves, and to all the flock over which the Holy Ghost had made them Bishops, not speaking a word of recommendation of that Church to Timothy, or of him to the Elders. And if Timothy was Bishop of Ephesus, he must needs be so when the first Epistle was sent to him, in which he is pretended to receive the charge of exercising his Episcopal power in Ordination and Government: but it is manifest that after this Epistle sent to him he was in continual Journeys, or absent from Ephesus. For Paul left him at Ephesus when he went into (e) Macedonia, and he left him there to exercise his Office, in regulating and ordering that Church and in ordaining: but it was after this time that Timothy is found with Paul at Miletus; for after Paul had been at Miletus, he went to Jerusalem, whence he was sent prisoner to Rome, and never came more into Macedonia, and at (f) Rome we finde Timothy a prisoner with him, and those * Epistles which Paul wrote while he was prisoner at Rome, namely, the Epistle to the Philippians, to Philemon, to the Colossians, to the Hebrews, do make mention of Timothy as his companion at these times; nor do we ever finde him again at Ephesus, for we finde that after all this, towards the end of St. Paul's life, after his first answering before Nero, and when he said his departure was at hand, he sent for Timothy to Rome, not from Ephesus: for it seems that Timothy was not there, because Paul giving Timothy an account of the absence of most of his companions sent into divers parts, he saith, Tychicus have I sent to Ephesus. Now if Your Majesty shall be pleased to cast up into one total that which is said, the several journeys and stations of Timothy, the order of them, the time spent in them, the nature of his employment, to negotiate the affairs of Christ in several Churches and places, the silence of the Scriptures as touching his being Bishop of any one Church, you will acknowledge that such a man was not a Bishop fixed to one Church or Precinct; and then by assuming that Timothy was such a man, you will conclude that he was not Bishop of Ephesus.

a Act. xix. 22.
b Act. xx. 4.
c ver. 5, 6.
d ver. 17.

e 1 Tim. i. 3.

f Heb. xii. 23.

* Phil. i. 1.
1 Thim. ver. 1.
Col. i. 1.
Heb. xii. 23.

11 Tim. iv. 6,
10, 11, 12, 16.

The like conclusion may be inferred from the like premisses from the instance of Titus, whom we find at (g) Jerusalem before he came to Crete, from whence he is sent for to (h) Nicopolis, and after that he is sent to Corinth, from whence he is expected at (i) Troas, and met with Paul in (k) Macedonia, whence he is sent again to (l) Corinth, and after all this is near the time of Paul's death at Rome, from whence he went not into Crete, but into (m) Dalmatia, and after this is not heard of in the Scripture. And so we hope Your Majesty doth conceive, that we affirm not upon very weak proofs that Timothy and Titus were from Ephesus and Crete removed to other places.

14.

g Gal. i. 2.
h Tit. i. 11, 12.
i 11 Cor. ii. 12.
k 11 Cor. v. 6.
l 11 Cor. vii. 6.
m 11 Tim. iv. 16.

In the fifth exception Your Majesty takes notice of two places of Scripture cited by us, to prove that they were called away from those places of Ephesus and Crete, which they do not conclude much of themselves, yet being accompanied by two other places which Your Majesty takes no notice of, may seem to conclude more, and these 1 Tim. i. 3. Titus i. 5. as, I besought thee to abide still at Ephesus; for this cause left I thee in Crete: in both which is specified the occasional employment for which they made stay in those places: and the expressions used, I besought thee to abide still at Ephesus, I left thee in Crete, do not sound like words of instalment of a man into a Bishoprick, but of an intendment to call them away again; and if the first and last be put together, his actual revocation of them both, the intimation of his intention that they should not stay there for continuance, and the reason of his beseeching the one to stay, and of his leaving the other behind him, which was some present defects and distempers in those Churches, they will put fair to prove that the Apostle intended not to establish them Bishops of those places, and therefore did not.

15.

For the Postscripts; because Your Majesty layes no great weight upon them, we shall not be solicitous in producing evidence against them, though they do bear witness in a matter of fact which in our opinion never was, and in Your Majesties Judgement was long before they were born. And so we conclude this discourse about Timothy and Titus with this observation, that in the same very Epistle of Paul to Timothy, out of which

Your Majesty hath endeavoured to prove that he was a Bishop, and did exercise Episcopal Government, there is clear evidence both for Presbyters *imposing hands* in Ordination, and for their *Ruling*.

16. In the next point, concerning the Angels of the Churches, though Your Majesty saith that *you lay no weight upon the Allegory or Mystery of the denomination*, yet you assert that the persons bearing that name were *personae singulares*, and, in a word, *Bishops*; who yet are never so called in Scripture: and the allegorical denomination of Angels or Stars, which in the Judgement of ancient and modern Writers doth belong to the faithful Ministers and Preachers of the Word in general, is appropriate (as we may so say) to the *Mitre and Crozier-staffe*, and so opposed to many express testimonies of Scripture. And if Your Majesty had been particular in that, wherein You say the *strength of Your instance lies*, viz. *the Judgement of all ancient and of the best modern Writers, and many probabilities in the Text it self*, we hope to have made it apparent, that many ancient and eminent modern Writers, many probabilities out of the Text it self, do give evidence to the contrary. To that which is asserted, That these singular persons were Bishops in distinct sense, whether we brought any thing of moment to infirm this, we humbly submit to Your Majesties Judgement, and shall only present to You, that in Your Reply You have not taken notice of that which in our Answer seems to us of moment, which is this, That in *Mysterious and prophetick writings, or visional representations* (such as this of the Stars and golden Candlesticks is) a *number of things and persons* is usually express'd in *singulars*: and this in Visions is the usual way of Representation of things; *a thousand persons* making up one Church, is represented by one *Candlestick*; *many Ministers* making up one *Presbytery*, by one *Angel*. And because Your Majesty seems to call upon us to be particular, though we cannot name the *Angels*, nor are satisfied in our judgement, that those whom some do undertake to name were intended by the name of *Angels* in those Epistles; yet we say, First, that these Epistles were sent unto the Churches, and that under the expression of *this thou dost*, or *this thou hast*, and *the like*, the *Churches* are respectively intended; for the *Sins reprov'd*, the *Repentance commanded*, the *Punishments threatened*, are to be referred to the Churches, and not to the singular *Angels* onely: and yet we do not think that *Salmasius* did intend, nor do we, that in formal denomination the *Angels* and *Candlesticks* were the same.

Secondly, The *Angels* of these Churches or *Rulers* were a *Collective body*, which we endeavoured to prove by such probabilities as Your Majesty takes no notice of, namely, the instance of the Church of *Ephesus*, where there were many *Bishops*, to whom the charge of that Church was by *St. Paul* at his *final departure* from them committed; as also by that expression, *Rev. 11. 24. To you and to the rest in Thyatira*: Which distinction makes it very probable that the *Angel* is explained under that *plurality, to you*. The like to which many expressions may be found in these *Epistles*, which to interpret according to the consentient Evidence of other Scriptures of the New Testament is not Safe onely, but Solid and Evidential.

Thirdly, These Writings are directed as Epistolary Letters to *collective Bodies* usually are, (that is) to *One*, but intended to *the Body*: which Your Majesty illustrateth by Your sending a Message to Your Two Houses, and directing it to the *Speaker of the House of Peers*: which as it doth not hinder (we confess) but that the *Speaker is one single person*; so it doth not prove at all that the *Speaker is alwaies the same person*; or if he were, that therefore because Your Message is directed to him, he is the *Governour or Ruler* of the Two Houses in the least. And so Your Majesty hath given clear instance, that though these Letters be directed to the *Angels*, yet that notwithstanding they might neither be *Bishops*, nor yet *perpetual Moderators*. For the several opinions specified in Your Majesties Paper, *three* of them, by easie and fair accommodation (as we declared before) are soon reduced and united amongst themselves, and may be holden without *recess* from the received Judgment of the Christian Church, by such as are far from meriting that Aspersion which is cast upon the *Reformed Divines* by Popish Writers, that they have divided themselves from the Common and received Judgment of the *Christian Church*: which Imputation, we hope,

hope, was not in Your Majesties intention to lay upon us, until it be made clear that it is the common and received Judgement of the *Christian Church* that *now is*, or of that in *former Ages*, that the *Angels* of the Churches were Bishops, having Prelacy as well over Pastors as People within their Churches.

In the following Discourse we did deny that the Apostles were to have any Successors in their Office, and affirmed onely *Two Orders* of *ordinary* and *standing Officers* in the Church, *viſ.* *Presbyters* and *Deacons*. Concerning the former of which Your Majesty refers to what you had in part already declared; That in *those things* which were *extraordinary* in the Apostles, *as namely the Measure of their Gifts, &c.* They had no Successors in eundem gradum; but in *those things* which were not extraordinary, *as the Office of Teaching and Power of Governing (which are necessary for the Service of the Church in all times)* they were to have, and had, Successors. Where Your Majesty delivers a Doctrine new to us; namely, that the Apostles had Successors into their *Offices*, not into their *Abilities*: For (besides that *Succession* is not properly into *Abilities*, but into *Office*, we cannot say that one succeeds another in his Learning, or Wit, or Parts, but into his Room and Function) we conceive that the Office Apostolical was extraordinary in whole, because their *Mission* and *Commission* was so, and the service or work of Teaching and Governing being to continue in all times doth not render their Office *Ordinary*; as the Office of *Moses* was not rendered Ordinary, because many works of Government exercised by him were re-committed to the *standing Elders* of *Israel*. And if they have Successors, it must be either into their *whole Office*, or into some *parts*. Their Successors into the *whole* (however differing from them in measure of Gifts and peculiar Qualifications) must be called *Apostles*, the *same Office* gives the *same Denomination*; and then we shall confess that Bishops, if they be their Successors in Office, are of *Divine Institution*, because the Apostolical Office was so. If their Successors come into part of their Office onely, the *Presbyters* may as well be called their Successors as the Bishops, and so indeed they are called by some of the ancient Fathers, *Irenaus, Origen, Hierome*, and others. Whereas in truth the Apostles have not properly Successors into Office, but the ordinary Power of Teaching and Governing (which is settled in the Church for continuance) is instituted and settled in the hands of ordinary Officers by a *New Warrant* and *Commission*, according to the rules of *Ordination* and *Calling* in the Word, which the Bishop hath not yet produced for himself, and without which he cannot challenge it upon the general allusive Speeches used by the Fathers without scruple.

17.

And whereas Your Majesty numbers the *extent* of their work amongst those things which were *extraordinary* in the Apostles; we could wish that You had declared whether it belong to their *Mission* or *Unction*: for we humbly conceive, that their Authoritative Power to doe their Work in *all places* of the World did properly belong to their *Mission*, and consequently that their *Office* as well as their *Abilities* was extraordinary; and so by Your *Majesties own Concession* not to be succeeded into by the Bishops.

18.

As to the Orders of standing Officers of the Church, Your Majesty doth reply, That *although in the places cited, Phil. I. I. 1 Tim. III. 8. there be no mention but of the two Orders onely of Bishops or Presbyters, and Deacons, yet it is not thereby proved that there is no other standing Office in the Church besides*: Which we humbly conceive is justly proved, not onely because there are no other named, but because there is no rule of Ordaining any *third*, no Warrant or way of *Mission*; and so the Argument is as good as can be made, *à non causa ad non effectum*: for we do not yet apprehend that the Bishops pretending to the Apostolick Office do also pretend to the same manner of *Mission*; nor do we know that those very many Divines that have asserted *two Orders onely*, have concluded it from any other grounds then the Scriptures cited.

19.

20. *There appear (as Your Majesty saith) two other manifest Reasons why the Office of Bishops might not be so proper to be mentioned in those places. And we humbly conceive there is a third more manifest then those two, viz. because it was not.*

21. *The one Reason given by Your Majesty is, because in the Churches which the Apostles themselves planted, they placed Presbyters under them for the Office of Teaching, but reserved in their own hands the Power of Governing those Churches, for a longer or shorter time, before they set Bishops over them. Which, under Your Majesties favour, is not so much a reason why Bishops are not mentioned to be in those places, as that they indeed were not. The variety of Reasons (may we say? or Conjectures) rendred why Bishops were not set up at first, as namely because fit men could not be so soon found out, which is Epiphanius his reason; or for remedy of Schisme, which is Jerome's reason; or because the Apostles saw it not expedient, which is Your Majesties reason; doth shew that this Cause labours under a manifest weakness. For the Apostles reserving in their own hands the power of Governing, we grant it, they could no more devest themselves of power of Governing then (as Dr Bilson saith) they could lose their Apostleship: had they set no Bishops in all Churches, they had no more parted with their power of Governing then they did in setting up the Presbyters; for we have proved that Presbyters, being called Rulers, Governours, Bishops, had the power of Governing in Ordinary committed to them, as well as the Office of Teaching, and that both the Keyes (as they are called) being by our Saviour committed into one hand, were not by the Apostle divided into two. Nor do we see how the Apostle could reasonably commit the Government of the Church to the Presbyters of Ephesus, Acts 20. and yet reserve the power of Governing (viz. in Ordinary) in his own hands, who took his solemn leave of them, as never to see their faces more. As concerning that part of the power of Government which, for distinction sake, may be called Legislative, and which is one of the three fore-mentioned things challenged by the Bishops, viz. giving Rules, the reserving of it in the Apostles hands hindred not but that, in Your Majesties Judgement, Timothy and Titus were Bishops of Ephesus and Crete, to whom the Apostle gives Rules for Ordering and Governing of the Church: Nor is there any more reason that the Apostles reserving that part of the Power of Governing which is called Executive, in such cases and upon such occasions as they thought meet, should hinder the setting up of Bishops, if they had intended it; and therefore the reserving of Power in their hands can be no greater reason why they did not set up Bishops at the first, then that they never did. And since (by Your Majesties Concession) the Presbyters were placed by the Apostles first, in the Churches by them planted, and that with Power of Governing, as we prove by Scripture; You must prove the super-institution of a Bishop over the Presbyters by the Apostles in some after-times, or else we must conclude that the Bishop got both his Name and Power of Government out of the Presbyters hand, as the Tree in the wall roots out the stones by little and little as it self grows.*

As touching Philippi, where Your Majesty saith it may be probable there was yet no Bishop, it is certain there were many like them, who were also at Ephesus, to whom if onely the Office of Teaching did belong, they had the most laborious and honorable part, that which was less honorable being reserved in the Apostles hands, and the Churches left in the meantime without ordinary Government.

The other Reason given why onely two Orders are mentioned in those places is, because he wrote in the Epistles to Timothy and Titus to them that were Bishops, so there was no need to write any thing concerning the Choice or Qualification of any other sort of Officers then such as belonged to their Ordination or Inspection; which were Presbyters and Deacons onely, and no Bishops.

22. *The former Reason why onely two Orders are mentioned in the Epistle to the Philippians, was, because there was yet no Bishop; this latter Reason why the same two onely are mentioned in these Epistles, is, because there was no Bishop to be Ordained. We might own the reason for good, if there may be found any rule for the Ordination of the other Order of Bishops in some other place of Scripture: but if the*
Ordination

Ordination cannot be found, how should we find the Order? And it is reasonable to think, that the Apostle in the Chapter formerly alleged, *1 Tim. III.* where he passes immediately from the Bishop to the Deacon, would have distinctly exprest, or at least hinted, what sort of Bishops he meant, whether the *Bishop over Presbyters*, or the *Presbyter-Bishop*, to have avoided the confusion of the Name, and to have set as it were some mark of difference in the *Escocheon* of the *Presbyter-Bishop*, if there had been some other Bishop of a higher house. And whereas Your Majestie saith, there was no need to write to them about a Bishop in a distinct sense, who belonged not to their Ordination and Inspection: we conceive that in Your Majesties judgement, Bishops might then have Ordained Bishops like themselves; for there was then no Canon forbidding one single Bishop to ordain another of his own rank: and there being many Cities in Crete, *Titus* might have found it expedient (as those ancient Fathers that call him Arch-bishop think he did) to have set up Bishops in some of those Cities. So that this Reason fights against the Principles of those that hold *Timothy* and *Titus* to have been Bishops. For our part, we believe that these Rules belonged not to *Timothy* and *Titus* with strict limitation to *Ephesus* and *Crete*, but respectively to all the places or Churches where they might come, and to all that shall at any time have the Office of Ordaining and Governing; as it is written in the same Chapter, *1 Tim. III. 14, 15. These things I have written unto thee, &c. that thou mayst know how to behave thy self in the House of God, which is the Church.* And therefore if there had been any proper Character or Qualification of a Bishop distinct from a Presbyter, if any Ordination or Office, we think the Apostle would have signified it; but because he did not, we conclude (and the more strongly from the insufficiency of Your Majesties two Reasons) that there are *only two Orders of Officers*, and consequently that a Bishop is not superiour to a Presbyter: for we find not (as we said in our Answer) that one Officer is superiour to another who is of the same Order.

Concerning the Ages succeeding the Apostles.

23.

Your Majesty having in Your first Paper said, that You could not in Conscience consent to Abolish Episcopal Government, because You did conceive it to be of Apostolical Institution, practised by the Apostles themselves, and by them committed and derived to particular persons as their Successors, and hath ever since till these last times been exercised by Bishops in all the Churches of Christ: we thought it necessary in our Answer, to subjoyn to that we had said out of the Scriptures, the Judgement of divers ancient Writers and Fathers, by whom Bishops were not acknowledged as a Divine, but as an Ecclesiastical Institution, as that which might very much conduce both to the easing of Your Majesties Scruple, to consider that howsoever Episcopal Government was generally current, yet the superscription was not judged Divine by some of those that either were themselves Bishops, or lived under that Government; and to the vindication of the opinion which we hold from the prejudice of *Novellisme*, or of *Recess* from the Judgement of all Antiquity.

We do as firmly believe (as to matter of fact) that *Chrysostome* and *Austin* were Bishops, as that *Aristotle* was a Philosopher, *Cicero* an Orator; though we should rather call our Faith and belief thereof certain in matter of fact, upon humane Testimonies uncontroll'd, then infallible, in respect of the Testimonies themselves. But whereas Your Majesty saith, That the darkness of the History of the Church in the times succeeding the Apostles is a strong Argument for Episcopacy, which notwithstanding that darkness hath found so full proof by unquestioned Catalogues, as scarce any other matter of fact hath found the like: we humbly conceive, that those fore-mentioned times were dark to the Catalogue-makers, who must derive the series of Succession from and through those Historical darkneses, and so make up their Catalogues very much from Traditions and Reports, which can give no great Evidence, because they agree not amongst themselves: and that which is the great blemish of their Evidence is, that the nearer they come to the Apostles times (wherein they should be most of all clear, to establish the Succession firm and clear at first) the more doubtful, uncertain, and indeed contradictory to one another, are the Testimonies. Some say that *Clemens* was first Bi-

24.

shop of Rome after Peter; some say the *third*: and intricacies about the Order of Succession in *Linus*, *Anacletus*, *Clemens*, and another called *Cletus* (as some affirm) are inextricable. Some say that *Titus* was Bishop of *Crete*; some say, *Arch-bishop*; and some, *Bishop of Dalmatia*. Some say that *Timothy* was Bishop of *Ephesus*; and some say that *John* was Bishop of *Ephesus* at the same time. Some say that *Polycarpus* was the first Bishop of *Smyrna*; another saith that he succeeded one *Bucolus*; and another, that *Aristo* was first. Some say that *Alexandria* had but one Bishop, and other Cities two; and others, that there was but one Bishop of one City at the same time. And how should those *Catalogues* be unquestionable, which must be made up out of Testimonies that fight one with another? We confess that the Ancient Fathers, *Tertullian*, *Irenaeus*, &c. made use of Succession as an Argument against *Hereticks* or Innovators, to prove that they had the *traduces Apostolici seminis*, and that the Godly and Orthodox Fathers were on their side. But that which we now have in hand is *Succession in Office*; which, according to the *Catalogues*, resolves it self into some *Apostle* or *Evangelist*, as the first Bishop of such a City or Place, who (as we conceive) could not be Bishops of those places, being of higher Office; though, according to the language of after-times, they might by them that drew up the *Catalogues* be so called, because they planted and founded, or watered those Churches to which they are entitled, and had their greatest residence in them. Or else the *Catalogues* are drawn from some eminent men that were of great veneration and reverence in the times and places where they lived, and Presidents or Moderators of the *Presbyteries* whereof themselves were Members: from whom to pretend the Succession of after-Bishops, is as if it should be said that *Caesar* was Successor to the *Roman Consuls*. And we humbly conceive that there are some Rites and Ceremonies used continually in the Church of old, which are asserted to be found in the Apostolical and Primitive times, and yet have no colour of Divine Institution; and, which is Argument above all other, the Fathers, whose Names we exhibited to Your Majesty in our Answer, were doubtless acquainted with the *Catalogues* of Bishops who had been before them, and yet did hold them to be of Ecclesiastical Institution.

25. And lest Your Majesty might reply, That however the Testimonies and Catalogues may vary, or be mistaken, in the order, or times, or names of those persons that succeeded the Apostles, yet all agree that there was a Succession of some persons; and so, though the credit of the Catalogues be *infirm*, yet the thing intended is confirmed thereby. We grant that a Succession of men to feed and govern those Churches, while they continued Churches, cannot be denied, and that the Apostles and Evangelists, that planted and watered those Churches (though extraordinary and temporary Officers) were by Ecclesiastical Writers, in compliance with the Language and usage of their own times, called Bishops; and so were other eminent men, of chief note, presiding in the Presbyteries of the Cities or Churches, called by such Writers as wrote after the division or distinction of the names of Presbyters and Bishops. But that those first and ancientest Presbyters were Bishops in proper sense, according to Your Majesties description, invested with power over Presbyters and people, to whom (as distinct from Presbyters) did belong the power of Ordaining, giving Rules, and Censures, we humbly conceive can never be proved by authentick or competent Testimonies. And granting that Your Majesty should prove the Succession of Bishops from the Primitive times *seriatim*; yet if these from whom You draw, and through whom You derive it, be found either more than Bishops, as Apostles, and extraordinary persons, or less than Bishops, as merely first Presbyters, having not one of the three Essentials to Episcopal Government (mentioned by Your Majesty) in their own hand; it will follow, that all that Your Majesty hath proved by this Succession is the *Homonymy* and equivocal acceptation of the word *Episcopus*.

26. For *Clemens* his Testimony, which Your Majesty conceiveth to be made use of as our old fallacy, from the promiscuous use of the words to inferre the indistinction of the things; we referre our selves to himself in his Epistle, now in all mens hands, whose Testimony we think cannot be eluded but by the old Artifice, of hiding the Bishop under

under the Presbyters name: for they that have read his whole Epistle, and have considered that himself is called a Bishop, *may doubt of Clement's* opinion concerning the distinct Offices of Bishops and Presbyters, or rather *not doubt* of it, if onely his own Epistle may be impanel'd upon the Inquest. Concerning *Ignatius* his Epistles, Your Majesty is pleased to use some *earnestness* of expression, charging some of late, without any regard of *ingenuity* or *truth*, out of their partial disaffection to Bishops, to have endeavoured to discredit his Writings. One of those cited by us cannot (as we conceive) be suspected of *disaffection* to Bishops; and there are great Arguments drawn out of those Epistles themselves, betraying their *insincerity*, adulterate mixtures and interpolations; so that *Ignatius* cannot be distinctly known in *Ignatius*. And if we take him *in gross*, we make him the *Patron* (as *Baronius* and the rest of the Popish Writers do) of such rites and observations as the Church in his time cannot be thought to have owned. He doth indeed give testimony to the *Prelacy* of a Bishop above a *Presbyter*; that which may justly render him suspected is, that he *gives too much Honour* (saith he) *the Bishop*, as God's high Priest, and *after him* you must honour the King. He was indeed a holy *Martyr*, and his writings have suffered *Martyrdome* as well as he: *Corruptions could not goe current but under the credit of worthy Names*.

That which Your Majesty saith in Your fourth Paragraph, that *we might have added*, (if we had pleased) That James, Timothy, Titus, &c. were constituted and ordained Bishops of the forementioned places respectively, and that all the Bishops of those times were reputed *Successors to the Apostles in their Episcopal Office*; we could not have added it without prejudice (as we humbly conceive) to the truth: for the Apostles did not ordain *any of themselves* Bishops, nor could they doe it, for even by Your Majesties Concession they were Bishops *before*, viz. as they were *Apostles*; nor could any Apostle his choice of a *certain Region* or place to exercise his function in, whilst he pleased, render him a Bishop any more then *Paul* was Bishop of the *Gentiles*, *Peter* of the *Circumcision*. Neither did the *Apostles* ordain the *Evangelists* Bishops of those places unto which they sent them; nor were the Bishops of those times any more then, as Your Majesty saith, *reputed Successors to the Apostles in their Episcopal Office*; they came after the Apostles in the Churches by them planted, so might *Presbyters* doe. But that's not properly *succession*, at least not *succession into Office*; and this we say with a *salvo* to our Assertion, That in those times there were no such Bishops distinct from Presbyters. Neither do we understand, whether the words *Episcopal Office* in this Section refer to the Bishops or *Apostles*: for in reference to *Apostles*, it insinuates a distinction of the Apostles Office into *Apostolical* and *Episcopal*, or that the Office Apostolical was *wholly* Episcopal; unto neither of which we can give our consent for reasons forementioned. To the testimonies by us recited in proof of *two onely Orders*, Your Majesty answers, first, that the *promiscuous use* of the names of Bishops and Presbyters is imported. That which Your Majesty not long ago called *our old fallacy*, is now Your Answer, onely with this difference: we under *promiscuous names* hold the *same Office*; Your Majesty under *promiscuous names* supposes *two*, which if, as it is often asserted, was but once proved, we should take it for a *determination* of this Controversie. Secondly, that *they relate to a School-point*, or a nicety, *utrum Episcopatus sit ordo vel gradus*; both sides of the questionists or disputants in the mean time acknowledging the right of Church-government in the Bishops alone. It is confessed by us, that that question as it is stated by *Popish Authors* is a *curious nicety*, to which we have no eye or reference; for though the same Officers may differ from and excell others of the same order in Gifts or Qualifications; yet the Office it self is one and the same, without difference or degrees, as one Apostle or Presbyter is not superiour to another in the degree of Office; they that are of the same Order are of the same degree in respect of Office, as having Power and Authority to the same Acts. Nor doth the Scripture warrant or allow any Superiority of one over another of the same Order; and therefore the proving of *two Orders onely* in the Church is a demonstration that Presbyters and Bishops are the same. In which point the Scripture will counter-balance the testimonies of those that assert *three degrees* or *orders*, though *ten* for one. But, for easing of Your Majesty of the

the trouble of producing testimonies against those cited by us, we make this *humble motion*, that the *Regiments* on both sides may be discharged out of the *field*, and the Point disputed by *Dint of holy Scripture. Id verum quod primum.*

28. Having passed through the Argumentative parts of Your Majesties Reply, wherein we should account it a great happiness to have given Your Majesty *any satisfaction*, in order whereunto You pleased to honour us with this imployment, we shall contract our selves in the remainder, craving Your Majesties pardon, if You shall conceive us to have been *too much* in the former, and *too little* in that which follows. We honour the pious intentions and munificence of Your Royal Progenitors; and do acknowledge that *Ornamental* Accessions granted to the Person do not make any substantial change in the *Office*: the real difference betwixt that Episcopal Government which first obtained in the Church, and the present *Hierarchy*, consists in *ipso regimine & modo regiminis*; which cannot be clearly demonstrated in particulars, untill it be agreed on both sides what that Episcopacy *was then*, and what the Hierarchy *is now*; and then it would appear whether these three forementioned *Essentials* of Episcopal Government were the same in both. For the *Power* under *Christian* Princes and under *Pagan* is one and the same, though the *Exercise* be not. And we humbly receive Your Majesties pious Advertisement, (not unlike that of *Constantine's*) stirring us up, as men unbiassed with private interests, to study the nearest *Accommodation* and *best Resemblance* to the *Apostolicall* and *Primitive times*. But for Your Majesties *Salvo* to the Bishops *sole power* of *Ordination* and *Jurisdiction*, and that *distinction* of *Ordination*, *Authoritative* in the Bishop, and *Concomitant* in the *Presbytery*, which You seem to found upon these two Texts, *1 Tim. 1.6. 1 Tim. 14.14.* and which is used by *D^r Bilson*, and other Defenders of Episcopacy, in explication of that Canon of the fourth *Council of Carthage*, which enjoyns the joyned imposition of the Bishops and Presbyters hands, we shall give Your Majesty an accompt when we shall be called to the inquisition thereof: Albeit that we do not for the present see, but that this *Proviso* of Your Majesty renders our accommodation to the Apostolical and Primitive times (whereunto You did exhort us) unfeasible. We notwithstanding do fully profess our acknowledgement of *subordination* of the *outward exercise* of *Jurisdiction* to the Sovereign *power*, and our accomptableness to the *Laws* of the Land.

29. As for Your Majesties *three Questions* of great importance, *Whether* there be a *certain form* of Government left by *Christ* and his *Apostles* to be observed by all *Christian Churches*; *Whether* it binde perpetually, or be upon occasion alterable in whole or in part; *Whether* that *certain form* of Government be the Episcopal, Presbyterian, or some other differing from them both: The whole *Volume* of Ecclesiastical Policy is contained in them; and we hope that neither Your Majesty expected of us a particular Answer to them at this time, nor will take offence at us, if we hold onely to that which is the question in order to the Bill of *Abolition*. For we humbly profess our readiness to serve Your Majestie, in answering these or any other questions within our proper *cognisance*, according to the proportion of our mean abilities.

30. For Your Majesties *Condescension*, in vouchsafing us the liberty and honour of examining Your *learned* Reply clothed in such *Excellency of Style*, and for Your exceeding *Candour* shewed to such men as we are, and for the acceptation of our humble duty, we render to Your Majesty most *humble Thanks*, and shall pray,

That such a *Pen* in the hand of such *Abilities* may ever be employed in a Subject worthy of it.

That Your Majesty would please to consider, that in this point under debate *Suecession* is not the best *Clue*, and most *certain* and *ready* way to find out the *Original*; for to go that way, is to go the furthest way about, yea, *to go backward*: and when You are at the *Spring*, viz. the *Scripture* it self, You go to the *Rivers end*, that You may seek the *Spring*.

And that the Lord would guide Your Majesty, and the two Houses of Parliament, by the *right hand* of his Counsel, and shew You a happy way of healing our unhappy Differences, and of settling the *Commonwealth* of *Jesus Christ*, which is the *Church*; so as all the members thereof may live under You in all Godliness, Peace and Honesty.

His

His MAJESTIES Final Answer concerning Episcopacy,
 Nov. 1. 1648.

WHat you have offered by way of Reply to His Majesties Second Paper of *October 6.* in yours of *October 17.* in order to the further satisfaction of His Conscience in the point of Episcopacy, His Majesty heard, when it was publickly read by you, with diligent attention, and hath since (so far as His leisure would permit) taken the same into His private and serious Consideration: Wherein His Majesty not onely acknowledgeth your great Pains and Endeavours to inform His Judgement, according to such perswasions as your selves have in the matter in debate; but also taketh special notice of the Civility of your applications to Him both in the Body and Conclusion of your Reply: yet He cannot but observe withall, that in very many things you either mistake His meaning and purpose in that Paper, or at least come not up fully enough thereunto in this Reply. Which to have shown, will sufficiently remonstrate your present Reply to be unsatisfactory in that behalf, without making a particular Answer to every passage in it, which to a Paper of that length would require more time then His Majesty can think fit (amidst the present weighty affairs) to allow unto a debate of this nature: Especially since His Majesty hath often found mutual returns of long Answers and Replies, to have rather multiplied disputes by starting new Questions, then informed the Conscience by removing former Scruples.

As to the Scriptures cited in the Margin of His Majesties first Paper. I.
 It being granted by you, that those Scriptures did prove the Apostles, Reply,
 and others being single Persons, to have exercised respectively the Sect. 1, 2.
 severall powers in the Paper specified, which powers (by your own confession in this Reply, Sect. 7.) a single Person who is but a mere Presbyter hath no right to exercise; and it being withall evident that a Bishop in the Ecclesiastical sense, and as distinct from a Presbyter, layeth claim to no more then to a peculiar right in the exercise of some or all of the said Powers, which a mere Presbyter hath not; the Conclusion seemeth natural and evident, that such a
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Power of Church-Government as we usually call *Episcopal* is sufficiently proved by those Scriptures.

2. *As to the Bishops Challenge.* First, when you speak of a Writ of partition, you seem to take His Majesties words, as if He had shared and cantoned out the Episcopal Office, one part to the Bishops alone, another to the Presbyters alone; and you fall upon the same again afterwards (*Sect. 6.*) Whereas His Majesties meaning was, and by His words appeareth so to have been, that one part of the Office (that of *Teaching*, &c.) was to be common to both alike; but the other part (that of *Governing Churches*) peculiar to the Bishop alone.

Reply,
Sect. 3. 4. 5.

Secondly, you infer from His Majesties words, That the *Bishops Challenge* appeareth to be grown to more then was formerly pretended to. Which inference His Majesties words by you truly cited, if rightly understood, will not bear. For having proved from Scripture the power of Church-Government in all the three mentioned Particulars to have been exercised by the Apostles and others; His Majesty said but this onely, That the *Bishops challenge* no more or other power to belong unto them, in respect of their *Episcopal Office*, then what properly falleth under one of these three. The words are true; for he that believeth they challenge not so much, might safely say they challenge no more. But the Inference is not good; For he that saith they challenge no more, doth not necessarily imply they challenge all that. In the power of Ordination, which is purely spiritual, His Majesty conceiveth the Bishops challenge to have been much-what the same in all times of the Church; and therefore it is that the matter of *Ordination* is most insisted on, as the most constant and most evident difference between Bishops and Presbyters, especially after the times of *Constantine*, which His Majesty by your relating to *Chrysostom* and *Hierome* taketh to be the same you call the times of *Grown Episcopacy*. But His Majesty seeth no necessity that the Bishops challenge to the power of Jurisdiction should be at all times as large as the Exercise thereof appeareth at some times to have been; the exercise thereof being variable according to the various conditions of the Church in different times. And therefore His Majesty doth not believe that the Bishops under Christian Princes do chal-

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lenge such an amplitude of Jurisdiction to belong unto them in respect of their Episcopal Office precisely, as was exercised in the Primitive times by Bishops before the dayes of *Constantine*. The reason of the difference being evident, That in those former times under Pagan Princes the Church was a distinct Body of it self, divided from the Commonwealth, and so was to be governed by its own Rules and Rulers; the Bishops therefore of those times, though they had no outward coercive power over mens Persons or Estates, yet inasmuch as every Christian man, when he became a Member of the Church, did *ipso facto*, and by that his own voluntary act, put himself under their Government, they exercised a very large power of Jurisdiction in *Spiritualibus*, in making Ecclesiastical Canons, receiving Accusations, conventing the Accused, examining Witnesses, judging of Crimes, excluding such as they found guilty of scandalous offences from the Lord's Supper, enjoyning Penances upon them, casting them out of the Church, receiving them again upon their Repentance, &c. And all this they exercised as well over Presbyters as others. But after that the Church under Christian Princes began to be incorporated into the Commonwealth, whereupon there must of necessity follow a complication of the Civil and Ecclesiastical Powers, the Jurisdiction of Bishops (in the outward exercise of it) was subordinate unto and limitable by the supreme Civil power, and hath been, and is at this day, so acknowledged by the Bishops of this Realm.

Thirdly, you seem to affirm in a Parenthesis, as if nothing were confessed to have been extraordinary in the Apostles but their Gifts and Enablements onely; whereas His Majesty in that Paper hath in express words named as Extraordinaries also, the Extent of their Charge, and the Infallibility of their Doctrine, without any meaning to exclude those not named, as their immediate Calling, and if there be any other of like reason.

Fourthly, for the Claim to a *jus Divinum*, His Majesty was willing to decline both the Term (as being by reason of the different acception of it subject to misconstruction) and the dispute, whether by Christ, or his Apostles. Nevertheless, although His Majesty sees no cause to dislike their opinion who derive the Episcopal power originally from Christ himself, without whose warrant the Apostles

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would

would not either have exercised it themselves, or derived it to others; Yet for that the practice in them is so clear and evident, and the warrant from him exprest but in general Terms (*As my Father sent me, so send I you*, and the like) He chose rather (as others have done) to fix the claim of the power upon that practice, as the more evidential way, then upon the warrant, which by reason of the generality of expression would bear more dispute.

3.
Reply,
Sect. 6.

As to the Definition of Episcopacy. First, whereas you except against it, for that it is competent to Archiepiscopal and Patriarchal Government as well as Episcopal, His Majesty thinketh you might have excepted more justly against it if it had been otherwise.

Secondly, His Majesty believeth that even in the persons by you named (*Timothy, Titus*, and the Angels) the definition in all the parts of it is to be found, *viz.* that they were all single persons; that they had their several peculiar Charges; and that within their several precincts they had authority over Presbyters as well as others.

Neither, thirdly, doth His Majesty think it needful that any word be added to the *Genus* in the definition, or that the Scripture should any where put all the parts of the definition together. It would be a hard matter to give such a definition of an Apostle, or a Prophet, or an Evangelist, or a Presbyter, or a Deacon, or indeed almost of any thing, as that the parts thereof should be found in any place of Scripture put altogether.

Fourthly, His Majesty consenteth with you, that the point in issue is not the Name or Work merely, but the Office, and that it were a Fallacy to argue a particular Office from a General or Common work: But judgeth withall, that it can be no Fallacy to argue a Particular Office from such a work as is peculiar to that Office, and is as it were the *formalis ratio* thereof; and therefore no Fallacy from a work done by a single person which a single Presbyter hath no right to doe, to infer an Office in that person distinct from the Office of a Presbyter.

4.
Reply,
Sect. 7.

As to the Scriptures cited by you, viz. Titus i. Acts xx. II Peter v. First, when you say you take His Majesties Concession, That in those times of the Church and places of Scripture there was no distinct Office of Bishops
and

and Presbyters ; if you take it so, truly you take it *gratis*, (His Majesty never gave it you :) and you mistake it too more wayes then one ; for, to speak properly, His Majesty made no Concession at all. It was rather a preterition in order to the present business, and to avoid unnecessary disputes, which ought not to be interpreted as an acknowledgement of the Truth of your Expositions of those places. For his own expresse words are, [*Although His Majesty be not sure that the Proof will reach so far in each of those Places.*] Which words plainly evidence, that which you call His Majesties Concession to be indeed no Concession, but to have been meant according to that form of Speech very usual in disputations, *Dato, non Concesso*. But in that Concession, such as it is, His Majesty is not yet able to imagine what you could finde whereon to ground those words, *That in those times of the Church there was no distinct*, &c. there being not any thing in the whole passage that carrieth the least sound that way, or that hath relation to any particular times of the Church. Neither is the Concession such as you take it, as it relateth to those places of Scripture. What His Majesty said was *confessed on all sides* (which are the words you take for a Concession) was but this, That supposing (but not granting) the word *Bishop* to be used in all those places to signify a *Presbyter*, the Office and Work in those places mentioned as the Office and Work of a *Bishop*, are (upon that supposal) the Office and Work of a *Presbyter* ; which is so manifest a Truth, that no man without admitting Contradictions can say the contrary. But how wide or short that is from what you make to be His Majesties Concession, your selves by comparing His words with yours may easily judge. But your selves a little after make a Concession which His Majesty (warned by your example how soon anothers meaning may be mistaken when his words are altered) is willing to take in the same words you give it, viz. When you say, and you bring reasons also to prove it, *That it seemeth manifest that Ordination and Censures are not to be exercised by a single Presbyter.*

Secondly, you repeat your Arguments formerly drawn from those places, and press the same from the force of the words *πομπήν* and *ἐπισκοπείν*, and from the Circumstances of the Text, and otherwise ; adding withall, that His Majesty hath waved the notice or answer of something by you alleged therein. Hereunto His

Majesty faith, that He waved not any thing in your former Paper for any great difficulty He conceived of answering it ; but being desirous to contract His Answer, and knowing to what frailties Arguments drawn from Names and Words and Conjectural Expositions of Scripture are subject, He passed by such things as He deemed to be of least Consideration in order to the end of the whole Debate, to wit, the satisfaction of His Judgement and Conscience in the main business. Otherwise His Majesty could have then told you, That there are who, by the like Conjectures, grounded (as seemeth to them,) upon some Probabilities in the Text, interpret those places in the *Acts* and in *S^t Peter*, of *Bishops* properly so called, and in the restrained Ecclesiastical sense, rather then of ordinary Presbyters : That supposing them both meant of Ordinary Presbyters, the words *ποιμαίνειν* and *ἐπισκοπεῖν* (which signifie to *feed* and *oversee*) might not unfitly be applied to them as inferiour Pastors, in relation to their Flocks under their charge and oversight (the Flock being in both the places expressly mentioned) which hindreth not, but that the same words may in a more peculiar manner be appropriated to Bishops in respect of that Authority and oversight they have even over Presbyters themselves also : That still granting your own interpretation of the word *Bishop* in that place to *Titus*, it can prove no more then that the two names in that place are given to the same Function : That from all the Premisses in your Paper there laid together, and supposed true, His Majesty doth not conceive it justly proved, That the Office of a Bishop and Presbyter is wholly the same, but at the most, That the Offices were not in those places distinguished by those Names.

Thirdly, if the *Assignment of any particular Qualification, work, or duty, unto a Bishop, distinct from a Presbyter, by the Scripture, would* (as you say) *put this question near to an issue* ; His Majesty should well have hoped that it might soon be brought to a near point, and that from the evidence of the Epistles onely of *St. Paul* to *Timothy*, wherein as he particularly expresseth the qualification, work, and duty of Presbyters and Deacons, that *Timothy* might know what persons were fit to be ordained unto those Offices ; so in the directions given to *Timothy* throughout those Epistles, he sufficiently describeth the qualification,

on, work, and duty of a Bishop, that *Timothy* might know how to behave himself in the exercise of his Episcopal Office, as well in Ordaining as in Governing the Church.

As to the signification of the word *Episcopus*, the primary signification thereof, and the application of it to Church-Officers, you acknowledge; and that the same was after by Ecclesiastical usage appropriated to Bishops you deny not: But the distinction of *Episcopus Gregis* and *Episcopus Pastorum* you do not allow. If you disallow it for the unfitness of the word, as may seem by that passage, where you say that His Majesty hath said that *Episcopus* signifieth a Keeper of *Shepherds*, His Majesty thinketh you might very well have spared that exception: For if there be a person that hath the oversight of many *Shepherds* under him, there is no more impropriety in giving such a person the style of *Episcopus Pastorum*, then there is in using the word ἀρχιποιμῆν, or in calling *Doeg* the Master of *Saul's* Herdsmen. And for the thing it self, it cannot be denied but that the Apostles, and *Timothy* and *Titus*, (by what claim, ordinary or extraordinary, as to the present business it matters not) had the oversight and authority over many Pastors, and were therefore truly and really *Episcopi Pastorum*. 5.
Reply,
Sect. 8.

The appropriation of the names of *Episcopus* and *Presbyter* to these distinct Offices, considering that it was done so early, and received so universally in the Church, as by the writings of *Clemens*, *Ignatius*, the Canons commonly called of the Apostles, and other ancient evidences doth appear, His Majesty hath great reason to believe that it was done by consent of the Primitive Bishops, merely in honour of the Apostles, out of their respect and reverence to whose persons and personal Prerogatives, they chose to call themselves Bishops rather than Apostles in common usage; although they made no scruple to maintain their succession from the Apostles, when they spake of things proper to their Episcopal Function, nor to use upon occasion the terms of Apostle and Apostolical in that sense. The truth of all which is to be seen frequently in the writings of the Ancients.

The Testimonies of so many Writers, ancient and modern, as have been produced for the Scripture-original of Bishops, His Majesty conceiveth to be of so great importance in a Question of this

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nature,

nature, that He thinketh Himself bound both in Charity and Reason to believe, that so many men of such quality would not have asserted the same with so much confidence, but upon very good ground. The Men respectively of high estimation and reverend authority in the Church, worthily renowned for their Learning and Piety, of moderate and even Passions, of Orthodox belief, sundry of them uninteressed in the Quarrel, and some of them of later times by interest and education byassed the other way. Their Assertions positive, peremptory and full of assurances (*Constat, & nemo ignorat*, it is clear, none can be ignorant, and other such like expressions;) namely That Christ constituted Bishops in the Apostles, That it was founded upon a divine Law, That Episcopacy is *διάταξις Θεοῦ* the Ordinance of God, That it seemed good to the Holy Ghost so to order it, &c. Infomuch as they accounted *Aërius* an Heretick for holding the contrary. And this their Judgement they delivered as led thereunto by evidence of Scripture (*Θεοῦ λόγος διδάσκει*, God's Word teacheth it; *apertis Scripturæ testimoniis*, it appeareth by plain testimonies of Scripture; *discimus ex hoc loco*, from this place we learn, and the like.) Which testimonies should they be encountred (as His Majesty doth not yet believe they can be) with a cloud of Witnesses to the contrary, for number, and in every other respect, equal thereunto; yet should not the Authority of their evidence in reason be much lessened thereby; inasmuch as one Witness for the Affirmative ought to be of more value then ten for the Negative, and the testimony of one person that is not interessed, then of an hundred that are.

And whereas you seem in this Question to decline this kinde of trial, because *matter of Right is properly triable by Scripture*; His Majesty conceiveth this present Question, in what terms soever proposed, to beyet in the true stating of it, and in the last Resolution, clearly a Question of Fact, and not of Right: For what Right soever the Bishops have, or pretend to have, must be derived from the Fact of Christ or his Apostles. Which matter of Fact, if it be not in the most plain Historical manner that may be, related in the Scriptures, but is to be deduced thence by topical remote inferences and probability of Conjectures, the most rational and proper expedient for the finding out of the Right is to have recourse to the Judgement,

ment, but especially to the Practice, of the nearest and subsequent times, according to the received Maximes, *Lex currit cum Praxi, & Consuetudo optimus interpret Legum.* Now he that shall finde by all the best Records extant, that the distinction of Bishops from, and the Superiority over, Presbyters was so universally and speedily spread over the face of the whole World, and their Government submitted unto so unanimously by the Presbyters, that there never was any considerable opposition made there-against before *Aerius*, (and that cryed down as an Heresie) nor since, till this last Age; and shall duly consider withall, that if Episcopal Government had not then been conceived to have had its institution from the Authority of Christ or his Apostles, or if any other form of Church-Government could have pretended to such institution, it had been the most impossible thing in the world, when there neither was any outward coercive power to inforce it, nor could be any General Council to establish it, to have introduced such a Form of Government so suddenly and quietly into all Christian Churches, and not the Spirit of any one Presbyter, for ought that appeareth, for above Three Hundred years, to have been provoked either through Zeal, Ambition, or other motive, to stand up in the just defence of their own and the Churches liberty against such an Usurpation; His Majesty believeth that whosoever shall consider the premisses, together with the Scripture-evidences that are brought for that Government, will see reason enough to conclude the same to have something of Divine Institution in it, notwithstanding all the evasions and objections that the subtil wit of man can devise to perswade the contrary. And therefore His Majesty thinketh it fit plainly to tell you, that such Conjectural Interpretations of Scripture as He hath yet met with in this Argument, how handsomely soever set off, are not Engines of strength enough to remove Him from that Judgement wherein He hath been settled from His Childhood, and findeth so consonant to the Judgement of Antiquity, and to the constant Practice of the Christian Church for so many hundred years; which in a matter of this nature ought to weigh more then mere Conjectural Inferences from Scripture-Texts that are not so attested. Which having now once told you, His Majesty thinketh Himself discharged from the necessity of making so large and particular an Answer to every Allegation in

the sequel of your Reply, as hitherto He hath done.

6. *As to the Apostles Mission and Succession;* To make His Answer the
 Reply, shorter to so long a discourse, His Majesty declareth, that His mean-
 Sect. 9. ing was not by distinguishing the *Mission* and *Unction* of the Apo-
 stles, so to confine them as if they should relate precisely and ex-
 clusively, the one to the Office, the other to the Abilities; but that
 they did more especially and eminently so relate: For the Apostles
 after their last Mission, (*Matth. 28. 19, 20.*) whereby they were fur-
 ther warranted to their Office and Work, were yet to wait for that
 promised anointing, (*Luke 24. 49. Acts 1. 4.*) the special effect where-
 of was the enduing them with Gifts of the Holy Ghost, for the bet-
 ter and more effectual performing of that their Work and Office.
 Nor was it His Majesties meaning to restrain the Extraordinaries
 in the Apostolical Office to those Gifts onely: (for His Majesty af-
 terwards in the same Paper mentioneth other Extraordinaries also,
 as before is said) but onely to instance in those Gifts, as one sort
 of Extraordinaries, wherein the Apostles were to have no Succes-
 sors. But His Majesties full meaning was, that the whole Aposto-
 lical Office (setting aside all and onely what was personal and ex-
 traordinary in them) consisted in the work of Teaching and Go-
 verning; which being both of necessary and perpetual use in the
 Church to the worlds end, the Office therefore was also to conti-
 nue, and consequently, the persons of the Apostles being mortal, to
 be transmitted and derived to others in succession: And that the
 Ordinary Successors of the Apostles immediately, and into the whole
 Office both of Teaching and Governing, are properly the Bishops;
 the Presbyters succeeding them also, but in part, and into the Office
 of Teaching only, and that mediately and subordinately to the Bi-
 shops, by whom they are to be ordained and authorised thereunto,
 which His Majesty taketh not to be, as you call it, a *dissolving* of the
 Apostolical Office.

Now the ground of what His Majesty hath said concerning the
 manner of Succession to the Apostles, that it may appear not to
 have been said *gratis*, is this; The things which the Scriptures re-
 cord to have been done by Christ or his Apostles, or by others at
 their appointment, are of three sorts, some acts of Power merely

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extraordinary; others acts of an ordinary power, but of necessary and perpetual use; othersome, lastly, and those not a few, Occasional and Prudential, fitted to the present condition of the Church in several times. To the Apostles in matters of the first sort none pretend succession; nor are either the Examples of what the Apostles themselves did, or the directions that they gave to others what they should do, in matters of the third sort, to be drawn into consequence so far as to be made necessary Rules, binding all succeeding Church-officers in all Times to perpetual observation. So that there remain the things of the middle sort onely, which we may call *Substantials*, into which the Apostles are to have ordinary and standing Successors. But then the difficulty will be, by what certain marks Extraordinaries, Substantials and Prudentials may be known and distinguished each from other. Evident it is, the Scriptures do not afford any particular discriminating Characters whereby to discern them; the Acts of all the three sorts being related in the like narrative forms, and the directions of all the three sorts expressed in the like preceptive forms. Recourse therefore must of necessity be had to those two more general *Criteria* [the Laws of all humane actions] Reason and Common Usage. Our own Reason will tell us, that instructing the People of God in the Christian Faith, exhorting them to Piety and good Works, administering the Sacraments, &c. which belong to the Office of Teaching; that Ordaining of Ministers, Inspection over their Lives and Doctrines, and other Administrations of Ecclesiastical Affairs belonging to the Office of Governing, are matters of great importance, and necessary concernment to the Church in all ages and times; and therefore were to be concredited to standing Officers in a Line of succession, and accordingly were judged, and the continuance of them preserved in the constant usage of the Churches of Christ: But that, on the other side, the decrees concerning Abstinence from Blood and Strangled, *Acts* xv. the Directions given for the ordering some things in the Church-Assemblies, *1 Cor.* xiv. for making Provisions for the Poor, *1 Cor.* xvi. 1. for the choice and maintenance of Widows, *1 Tim.* v. for the enoiling of the sick, *James* v. 14. and other like, were but Occasional, Prudential and Temporary, and were so esteemed by the Churches, and the practice of them accordingly laid

laid aside. So for the Succession into the Apostolical Office, we find in the Scriptures Evidence clear enough, that the Apostles committed to others, as namely to *Timothy* and *Titus*, the Power both of Teaching and Governing the Churches. And common Reason and Prudence dictating to us, that it is good for the edifying of the Church, that there should be many Teachers within a competent precinct, but not so that there should be many Governours; and the difference of Bishops and Presbyters to the purposes aforesaid having been by continual usage received and preserved in the Christian Church, down from the Apostles to the present times; His Majesty conceiveth the succession of Bishops to the Apostles into so much of their Office as was ordinary and perpetual, and such a distinction of Bishops and Presbyters as His Majesty hath formerly expressed, needeth no further Confirmation from Scripture (to such as are willing to make use of their Reason also, which in interpreting Scripture upon all other occasions they are inforced to doe) nor any thing by you produced in this Paragraph any further Answer: only that distinction of Eminently and Formally, because you illustrate it by instancing in Himself, His Majesty could not but take notice of, which He either understandeth not, or thinketh your Illustration thereof not to be very apposite: for Actions and Operations flow from the Forms of things, and demonstrate the same, as Effects do their Causes. The Apostles therefore acting in the ordinary exercise of Church-Government, did act not Eminently only, but Formally also, as Bishops rather than Apostles.

7. *As Concerning Timothy and Titus.*

Reply,
Sect. 10, 15.

First, whether they were Evangelists or no, His Majesty never meant to dispute: Onely, because you often call for Scripture-proof, His Majesty thought fit to admonish you, that in your Answer you take two things for granted (*viz.* that *Timothy* and *Titus* were Evangelists, and that Evangelists were such Officers as you described) neither of which, if it should be denied, you could clearly prove from Scripture alone, without calling in the help of other Writers to attest it, as in your Reply you have now done Master *Hooker's*: neither have you indeed brought any thing in this Reply out of Scripture to prove either of both, sufficient to convince him that were of a contrary minde.

Secondly,

Secondly, you seem (Sect. 12.) to mistake that which was the Third Point in that part of His Majesties Paper, which was not, Whether *Timothy* and *Titus* were *Evangelists* or no; (concerning which His Majesty neither did, nor doth contend) but Whether in the Church-Government they exercised they acted as *Evangelists* (as you affirm) and so onely as extraordinary Officers, or not. *Zuinglius* having said that the Name of a Bishop and Evangelist is the same thing, proveth it from 2 *Tim.* iv. and concludeth, *Constat idem fuisse officium utriusque*, Bishop and Evangelist the same Office both. *Gerard* saith, the word *Evangelist* in that place is taken generally, and not in the special sense, that is to say, for a Minister of the Gospel at large, (and the Context there indeed seemeth to import no more) and not for an Evangelist by peculiar Office. And *Sculdetus* not onely affirmeth, that Saint *Paul* appointed *Timothy* and *Titus* to *Ephesus* and *Crete*, not as *Evangelists*, but as Church-Governours; but saith further, that the Epistles written to them both do evince it, and also bringeth Reasons to prove it. Upon what particular Reasons *Gillespy*, &c. reject the conceit of their acting as *Evangelists*, His Majesty certainly knows not: But if this be one of their Arguments (as, to their best remembrance from whom His Majesty had the Information, it is) That if whatsoever is alleged from the Scripture to have been done by the Apostles, and by *Timothy* and *Titus*, in point of Ordination, Discipline and Government, may be eluded by this, that they acted therein as extraordinary Officers; there will be no proof at all from Scripture of any power left in any ordinary Church-Officer to the purposes aforesaid: His Majesty then recommendeth to your most sober thoughts to consider, First, how this Conceit of their acting as extraordinary Ministers onely tends to the subversion of all Ministers, as well as of the Bishops, (since upon this very ground especially the *Socinians* deny all Mission and Ordination of Ministers in the Church;) and Secondly, if the contrary be proved by *Gillespy*, &c. by good Arguments, that they acted as ordinary Officers in the Church, then, whether they have not thereby laid a better foundation for the claim of the Bishops, (viz. of Governing the Churches as single persons in Ordinary Office) then either they or you are willing to acknowledge.

Thirdly, His Majesty thinketh it a great liberty which you take in rendring the sense of His Reply as you have done; viz. The Scri-
ptures

ptures never call them Bishops, but the Fathers do, &c. Whereas if you had followed His sense in that Paper, you might rather have delivered thus, The Scripture describeth them as Bishops, and the Fathers call them so. For that of yours, *The Scripture calls Timothy an Evangelist; some of late have refuted it, and rejected it with scorn:* you should have said rather, The Scripture doth not any where affirm of *Titus*, nor clearly prove of *Timothy*, that they were (by peculiar Office) Evangelists; but that in governing the Churches they acted as Evangelists, or extraordinary Officers, is by sundry late Writers (the Evasion it self having been but of late time minted) refuted and rejected. For that of yours, *The Scripture relates their motion from Church to Church; but some affirm them to be fixed at Ephesus and in Crete;* It should have been, Neither doth their motion from Church to Church hinder but that they might afterward be fixed at *Ephesus* and in *Crete*: neither doth their being Bishops of *Ephesus* and *Crete* hinder but that they might afterwards, for propagation of the Gospel, be by the Apostles appointment often employed other-where. For that of yours, *The Scripture makes distinction of Evangelists and Pastors, but some say that Timothy and Titus were both;* It should have been, The Scripture maketh no such distinction of Evangelists and Pastors, but that the same persons might not only successively be both, but even at the same time also be called by both Names.

Fourthly, Though you say, *You do not undervalue the Testimonies and Catalogues mentioned,* yet you endeavour (which cometh not far short of undervaluing) to lessen the reputation of both but too much. Of those Testimonies, by putting them off, as if, when they report *Timothy* and *Titus* and others to have been Bishops, they speak but vulgarly, or by way of allusion, and not exactly as to the point in Debate. But of *Hierom*, upon whom you chiefly rely in this cause, the contrary is evident, who, in his Catalogue of Ecclesiastical Writers, wherein he was to deliver things *Fide Historicâ*, and to describe the persons of such as are Registered in that Catalogue by their proper and known distinctive Titles and Styles, expressly styleth *Timothy*, *Titus*, *Mark*, *Polycarp* and others, *Bishops* of such and such places; and such on the other side as were but mere Presbyters, *Ecclesiæ Antiochenaë* or *Alexandrinaë Presbyteri*, &c. observing the difference so constantly and exactly throughout the whole Book, that nothing
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can be more clear, then that he understood the word *Episcopus* no otherwise then in the ordinary Ecclesiastical sense, and as a Bishop is distinct from a Presbyter. As for that passage you allege out of him, by *custome*, in the judgement of Learned men, he must mean the *practice* of the *Apostolick* times; and by *Dominica dispositio*, the express *Precept* of *Christ*: unless you will have himself contradict what himself hath written in sundry other places; whose Testimonies in the behalf of Episcopal Superiority are so clear and frequent in his Writings, that (although he of all the Ancients be least suspected to favour that Function overmuch, yet) the Bishops would not refuse to make him Arbitrator in the whole business. As for the Catalogues, there will be more convenient place to speak of them afterwards.

Fifthly, your long Discourse concerning the several stations and removes of *Timothy* and *Titus* (Sect. 13, 14.) and their being called away from *Ephesus* and *Crete* (Sect. 15.) His Majesty neither hath time to examine, nor thinketh it much needful (in respect of what He hath said already) so to doe. It is sufficient to make His Majesty at least suspend His Assent to your Conjectures and Inferences, First, that He findeth other Learned men, from the like Conjectures, to have made other Inferences; as namely, that *Timothy* and *Titus* having accompanied *Paul* in many journeys, *postea & tandem* were by him constituted Bishops of *Ephesus* and *Crete*. Secondly, that supposing they were, after the times of the several Epistles written to them, sent by the Apostles to other places, or did accompany them in some of their journeys, even for a long time together, it cannot be concluded thence that they were not then Bishops of those Churches, or that the Government of those Churches was not committed to their peculiar charge: If it be supposed withall (which is but reasonable) that their absence was commanded by the Apostle, and that they left their Churches *cum animo revertendi*. Thirdly, that the places which you press again of 1 *Tim.* 1. 3. and *Titus* 1. 5. weigh so little to the purpose intended by you, even in your own judgements (for you say onely, *They put fair to prove it*) that you cannot expect they should weigh so much in His as to need any further Answer; save only that His Majesty knoweth not what great need or use there should be of leaving *Timothy* at *Ephesus*, or

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Titus

Titus in *Crete*, for ordaining Presbyters and Deacons, with such directions and admonitions to them for their care therein, if they were not sent thither as Bishops. For either there were Colledges of Presbyters in those places before their coming thither, or there were not: if there were, and that such Colledges had power to ordain Presbyters and Deacons without a Bishop, then was there little need of sending *Timothy* and *Titus* so solemnly thither about the work; if there were none, then had *Timothy* and *Titus* power of sole Ordination, which is a thing by you very much disliked. Those inconveniences His Majesty thinketh it will be hard wholly to avoid upon your Principles.

That Discourse you conclude with this Observation, *That in the very same Epistle to Timothy, out of which he is endeavoured to be proved a Bishop, there is clear evidence both for Presbyters imposing hands in Ordination, and for their Ruling*: Yet His Majesty presumeth you cannot be ignorant, that the evidence is not so clear in either particular, but that in the former very many, of the Latine Fathers especially, and sundry later Writers, as *Calvin* and others, refer the word *αποθευειν* to the remoter Substantive Grace or Gift, and not to that of Imposition of Hands; and so understand it as meant of the Office of Presbytery, or, as we were wont to call it in English, by derivation from that Greek word, of *Priesthood*, in *Timothy* himself, and not of a Colledge or Company of Presbyters collectively imposing hands on him: and that the Greek Fathers, who take the word collectively, do yet understand by *αποθευειν* there a Company of Apostles or Bishops who laid hands on *Timothy* in his Ordination to the Office of a Bishop, (as was ordinarily done by three joyning in that act in the Primitive and succeeding times) and not of a Colledge of mere Presbyters: and that in the latter particular, to wit, that of *Ruling*, the place whereon His Majesty conceiveth your Observation to be grounded, hath been by the Adversaries of Episcopal Government generally and mainly insisted upon, as the onely clear proof for the establishing of *Ruling-Lay-Elders*, which interpretation His Majesty knoweth not how far you will admit of.

8.
Reply 16.

As to the Angels of the Churches.

His Majesties purpose in naming these Angels in His first Paper,
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sufficiently declared in His second, required no more to be granted for the proving of what He intended, but these Two Things only: First, That they were *Personæ singulares*; and then, That they had a Superiority in their respective Churches, as well over Presbyters as others: which two being the *Periphrasis* or Definition of a Bishop, His Majesty conceived it would follow of it self, That they were Bishops. That the Epistles directed to them in their respective Reproofs, Precepts, Threatnings, and other the contents thereof, did concern their fellow-Presbyters also, and indeed the whole Churches (which in your last you again remember) His Majesty did then and doth still believe, finding it agreeable both to the tenor of the Epistles themselves, and to the consentient judgement of Interpreters: Onely His Majesty said, and still doth, That that hindreth not but that the Angels to whom the Epistles were directed were *Personæ singulares* still. This His Majesty illustrated by a Similitude, which though it do not hold in some other respects, and namely those you observe, (for His Majesty never dreamt of a four-footed Similitude) yet it perfectly illustrates the thing it was then intended for, as is evident enough, so that there needeth no more to be said about it.

That which you insist upon to prove the contrary from *Revel. 11. 24.* *But I say to you* (*ὑμῖν* plurally) *and the rest in Thyatira*, is plainly of no force, if those Copies in which the copulative conjunction is wanting be true; for then the Reading would be this, *But I say to you the rest in Thyatira.* But following the ordinary Copies, the difficulty is not great, such manner of Apostrophes by changing the number, or turning the speech to another person, being very usual both in Prophetick Writings, such as this Book of *Revelation* is, and in Epistles of this nature written to one, but with reference to many others therein concerned. *Beza* expoundeth it, *ὑμῖν to you*, (that is, the *Angel* as President, and his Collegues the other Presbyters) *and to the rest*, that is, to the whole flock or people: which manner of speaking might be illustrated by the like forms of speech to be used in a Letter written to a Corporation, wherein the Mayor and Aldermen especially, but yet the whole Town generally, were concerned, but directed to the Mayor alone; or from a Lord, containing some Orders for his own household especially, and generally for

the whole Township, but by the Inscription directed to his Steward onely, or the like.

The Consent of ancient and later Writers was produced by His Majesty for the proof of the two things before named onely, but especially of the first, *viz.* That the Angels were *Personae singulares*: (for the latter, *viz.* That they were superiour to Presbyters also, had been confessed by your selves in your first Grant before) but was not produced to prove the Conclusion it self immediately, *viz.* That they were Bishops in distinct sense, although sundry of their Testimonies come up even to that also. But to the first point, That they were Single persons, the concurrence is so general, that His Majesty remembreth not to have heard of any one single Interpreter, before *Brightman*, that ever expounded them otherwise: And yet the same man (as His Majesty is informed) in his whole Commentary upon the *Revelation* doth scarce, if at all, any where else, save in these Seven Epistles, expound the word *Angel* collectively, but still of one single person or other, insomuch as he maketh one Angel to be *Gregory* the Great, another *Queen Elizabeth*, another *Cranmer*, another *Chemnitius*, and the like. But generally both the Fathers and Protestant Divines agree in this, That the Angel was a Single person: some affirming plainly, and that *in terminis*, he was the Bishop; some naming the very persons of some of them, as of *Polycarp* Bishop of *Smyrna*, and others; some calling him the chief Pastor or Superintendent of that Church; and those that speak least, and were more or less disaffected to Bishops, as *Beza*, *Doctor Reynolds*, the *Geneva Notes*, and even *Cartwright* himself, the *πρωτοπρεσβυτερος*, President or chief among the Presbyters. And this they doe sundry of them, not crudely delivering their Opinions onely, and then no more, but they give Reasons for it, and after examination of the severall Opinions, preferre this before the rest, affirming, That *Doctissimi quique interpretes*, all the best learned Interpreters so understand it, and that they cannot understand it otherwise *vim nisi facere Textui velint*, unless they will offer violence to the Text.

That which His Majesty said concerning the Subdivision of those that had divided themselves from the common received judgement of the Church, was meant by His Majesty, as to the Subdivision, in respect of this particular of the Angels, wherein they differ one from

from another ; as to the Division, in respect of their dislike of Bishops, wherein they all agree. And truly His Majesty doth not yet see, how either their Differences can be possibly reconciled in the former (no accommodation in the world being able to make all the people of the whole Church, nor yet a Colledge consisting of many Presbyters, to be one *Single* person ;) or their recess wholly excused in the latter, their dissenting from the common and received Judgment and Practice of the Christian Church in the matter of Episcopacy, and the evil consequents thereof, having, in His Majesties Opinion, brought a greater reproach upon the Protestant Religion, and given more advantage (or colour at least) to the *Romish* party to asperse the Reformed Churches in such sort as we see they do, then their disagreement from the Church of *Rome* in any one controverted Point whatsoever besides hath done.

As to the Apostles Successors.

Here little is said, the substance whereof hath not been Answered before. His Majesty therefore briefly declares His meaning herein, That the Apostles were to have no necessary Successors in any thing that was extraordinary, either in their Mission or Union ; That His Majesty spake not of Succession into Abilities otherwise then by instance, mentioning other particulars withall, which thing, He thinketh, needeth not to have been now the third time by you mentioned ; That in the Apostles Mission or Commission (for His Majesty under the name of Mission comprehended both) and consequently in the Apostolical Office, as there was something extraordinary, so there was something ordinary, wherein they were to have Successors ; That Bishops are properly their Successors in the whole Apostolical Office, so far as it was ordinary, and to have Successors ; That therefore the Bishops Office may in regard of that Succession be said to be Apostolical ; That yet it doth not follow that they must needs be called Apostles, taking the Denomination from the Office, inasmuch as the Denomination of the Apostles, peculiarly so called, was not given them from the Office whereunto they were sent, but (as the word it self rather importeth) from the immediateness of their Mission, being sent immediately by Christ himself, in respect whereof, for distinction sake, and in

9.
Reply 17,
18.

(Q q q 3)

Honour

Honour to their Persons, it was thought fitter by those that succeeded, in common usage to abstain from that Denomination, and to be styled rather by the Name of Bishops; That if the Apostles had no Successors, the Presbyters (who are their Successors in part, mediately and subordinately to the Bishops) will be very hard set to prove the Warrant of their own Office and Mission; which if not derived from the Apostles (who onely received power of Mission from Christ) by a continued line of Succession, His Majesty seeth not upon what other bottom it can stand.

10. *As to the standing Officers of the Church.*
 Reply, You insisted upon Two Places of Scripture, *Phil. I. I.* and *I Tim.*
 19, --- 23. III. to prove that there were to be no more standing Officers in the Church then the two in those places mentioned (*viz.*) Presbyters (who are there called Bishops) and Deacons; whereunto His Majesties Answer was, *That there might be other, though not mentioned in those places:* which Answer though it were alone sufficient, yet, *ex abundanti*, His Majesty shewed withall, that supposing your interpretation of the word *Bishop* in both the places (*viz.* to denote the Office of Presbyter onely) there might yet be given some probable conjectures, which (likewise supposed true) might satisfie us, why that of Bishop in the distinct sense should not be needful or proper to be named in those places.

His Majesties former Reason, though in *Hypothesi* and as applied to the Church of *Philippi* it be but conjectural, yet upon the credit of all Ecclesiastical Histories and consideration of the Condition of those times, as it is set forth in the Scriptures also, it will appear in *Thesi* to be undoubtedly true (*viz.*) That the Apostles themselves first planted Churches; That they were perpetual Governours, and, in chief, of all the Churches whilst they lived; That as the burthen grew greater by the propagation of the Gospel, they assumed others in *partem curæ*, committing to their charge the peculiar oversight of the Churches in some principal Cities, and the Towns and Villages adjacent, as *James* at *Jerusalem*, and others in other places, sooner or later, as they saw it expedient for the service of the Church; That the persons so by them appointed to such peculiar charges did exercise the powers of Ordination, and other Government,

ment, under the Apostles, and are therefore in the Church Stories called Bishops of those places in a distinct sense; That in some places, where the Apostles were themselves more frequently conversant, they did for some while govern the Churches immediately by themselves, before they set Bishops there; and that after the Apostles times, Bishops onely were the ordinary Governours of the Churches of Christ: And His Majesty believeth it cannot be proved, either from clear evidence of Scripture, or credible testimonies of Antiquity, that ever any Presbyter or Presbytery exercised the power either of Ordination at all without a Bishop, or of that which they call Ecclesiastical Jurisdiction in ordinary, and by their own sole Authority, or otherwise then as it was delegated unto them upon occasion, and for the time, by Apostles or Bishops.

For that place of *Phil. 1. 1.* in particular, His Majesties purpose being, not to interpret the place, (a work fitter for Divines) but to manifest the inconsequence of the Argument whereby you would conclude but two standing Officers onely, because but two there named, He gave this as one probable conjecture why there might be no Bishop in distinct sense there mentioned, because possibly the Apostles had not as yet set any Bishop over that Church; which His Majesty did not propose as the onely, no, nor yet as the most probable conjecture, (for which cause He delivered it so cautiously, saying onely, *It might be probable*) but as that which for the present came first into His thoughts, and was sufficient for His purpose, without the least meaning thereby to prejudice other interpretations; as, namely, of those Expositors who take the words (*With the Bishops and Deacons*) as belonging to the persons saluting, and not to the persons saluted, to this sense, *Paul and Timotheus, the servants of Jesus Christ, with the Bishops and Deacons, to the Saints at Philippi, &c.* or of those who affirm, and that with great probability too, that *Epaphroditus* was then actually Bishop of *Philippi*, but not to be mentioned in the Inscription of the Epistle, because he was not then at *Philippi*, but with Saint *Paul* at *Rome* when that Epistle was written. Any of which conjectures if they be true, (as there is none of them utterly improbable) that place of *Phil. 1. 1.* will not doe you much service in this Question.

In the Epistles to *Timothy* and *Titus*, the Apostle directeth and admonisheth

(Q q q 4)

monisheth them as *Bishops*, particularly concerning Ordination of Ministers, that they doe it advisedly, and ordain none but such as are meetly qualified for the Service of the Church; which Directions and Admonitions His Majesty believeth for the substance to belong to all Bishops of after-times as well as unto them: But His Majesty seeth no necessity why in those Epistles there should be any particular directions given concerning the Ordination of Bishops, at least unless it could be made appear that they were to ordain some such in those places, nor perhaps if that could be made to appear, inasmuch as in those Epistles there is not the least signification of any difference at all between Presbyters and Deacons in the manner of their Ordination, both being to be performed by the Bishop, and by Imposition of Hands, and so both comprehended under that general Rule (*Lay hands suddenly on no man*) but onely, and that very little, and scarce considerable (as to the making of distinct Offices) in the qualification of their persons.

The Ordination therefore of Bishops, Presbyters and Deacons, being to be performed in the same manner, and the same Qualifications after a sort, saving such differences as the importance of their several Offices make, (which is more in the degree then in the things) being required in both, it had been sufficient if in those Epistles there had been direction given concerning the Ordination and Qualification of but one sort of Church-Officers onely; as in the Epistle to *Titus* we see there are of Presbyters onely, and no mention made of Deacons in the whole Epistle: whence it may be as well concluded, That there was to be no other standing Officer in the Church of *Crete* but Presbyters onely, because Saint *Paul* giveth no directions to *Titus* concerning any other, as it can be concluded, That there were to be no other Officers in the Church of *Ephesus* but Presbyters and Deacons onely, because Saint *Paul* giveth no direction to *Timothy* concerning any other.

11.

As to the Ages succeeding the Apostles.

Reply,

23, --- 27.

Concerning the Judgement of Ecclesiastical Writers about the Divine Right of Episcopacy, His Majesty conceiveth the difference to be more in their Expressions then in their Meaning, some calling it *Divine*, others *Apostolical*, and some (but not many) *Ecclesiastical*.

But

But that the Superiority of Bishops above Presbyters began in the Apostles times, and had its foundation in the Institution either of Christ himself or of his Apostles, His Majesty hath not heard (*Aerius* excepted) that any till these latter Ages have denied.

For that which you touch upon concerning the word *Infallible*, His Majesty supposeth you knew His meaning, and He delighteth not to contend about words.

As for the *Catalogues*, some uncertainties in a few (a frailty which all humane Histories are subject to) His Majesty taketh to be insufficient to discredit all. Differences there are in Historiographers, in reciting the Succession of the *Babylonian*, *Persian*, and *Macedonian* Kings, and of the *Saxon* Kings in *England*. And we find far more inextricable intricacies in the *Fasti Consulares*, the Catalogues of the *Roman* Consuls (notwithstanding their great care in keeping the publick Records, and the exactness of the *Roman* Histories) then are to be found in Episcopal Catalogues, those especially of the chiefest Cities, as *Jerusalem*, *Rome*, *Antioch*, *Alexandria*, *Ephesus*, &c. Yet as all men believe there were Kings in those Countries, and Consuls in *Rome* in those times; so (as you might well foresee would be answered) the discrediting of the Catalogues of Bishops in respect of some uncertainties, (although His Majesty doubteth not but many of the differences you instance in may be fairly reconciled) tendeth rather to the confirming of the thing it self.

That which you say in Answer hereunto, that the Ecclesiastical Writers called them *Bishops* in compliance to the Language of their own Times, after the names of Presbyters and Bishops were distinguished, but that they were not indeed Bishops in the proper sense now in Question; His Majesty, Who believeth the distinction of those names to have begun presently after the Apostles times (if not rather whilst some of them were living) doth consequently believe, that as they were called, so they were indeed, Bishops in that proper sense. It appeareth by *Ignatius* his Epistles every where, how wide the difference was in his time between a Bishop and a mere Presbyter. If *Hierome* onely and some a little ancients then he had applied the name Bishop to persons that lived some Ages before them, there might have been the more colour to have attributed it to such a compliance as you speak of; but that they received both the Name
and

and the truth of their relations from unquestionable Testimonies and Records, His Majesty thinketh it may be made good by many instances. For example, to instance in one onely, *Polycarp* Bishop of *Smyrna*, who is thought to be the *Angel* of that Church in the *Revelations*, *Ignatius*, who was contemporary with him, wrote one Epistle to him, and sends salutation to him in another, as Bishop of *Smyrna*. Many years after, *Irenæus*, Bishop of *Lyons* in *France*, (whose Writings were never yet called in question by any) not onely affirms him to have been constituted Bishop of *Smyrna* by the Apostles, but saith, *That he himself when he was a Boy had seen him a very old man*. *Tertullian* next, a very ancient Writer, affirmeth *That he was Bishop of Smyrna, there placed by Saint John*. After cometh *Eusebius*, who in his Ecclesiastical History not onely Historically reporteth of his being Bishop there, as he doth of other Bishops; but citeth also for it the Testimonies both of *Ignatius* and *Irenæus* (which, by the way, giveth good credit to *Ignatius* his Epistles too.) Then *Hierom* also and others, lastly, attest the same. And it cannot be doubted but *Eusebius* and *Hierom* had in their times the like certain Testimonies and Grounds for sundry others, whom they report to have been Bishops; which Testimonies and Records are not all come to our hands.

For the Testimonies of *Clemens* and *Ignatius*, His Majesty saith, First, That though it be not reasonable that the Testimony of one single Epistle should be so made the adequate measure of *Clemens* his Opinion, as to exclude all other proof from his Example, or otherwise; yet His Majesty, since *Clemens* was first named by you, and the weight of the main Cause lieth not much upon it, is content also for that matter to refer Himself to that Epistle. Secondly, That His Majesty could not but use some earnestness of expression in the cause of *Ignatius* against some who have rejected the whole volume of his Epistles, but upon such Arguments as have more lessened the Reputation of their own Learning, then the Authority of those Epistles, in the opinion of moderate and judicious men: And yet *Blondellus*, a very Learned man, though he reject those Epistles, confesseth notwithstanding the Ancient Fathers gave full Credence thereunto.

The Apostles, you say, did not ordain themselves Bishops of any particular

lar places; and yet the Bishops of some particular places are reported in the Catalogues to have been Successors to such or such of the Apostles, and even the Names of such Apostles are entred into the Catalogues. To this His Majesty saith, That the Apostles were formerly Bishops by virtue of their Mission from Christ, as hath been already declared, but did neither ordain themselves, nor could be ordained of others, Bishops of such or such particular Cities: Although His Majesty knoweth not but that they might, without prejudice to their Apostleship, and by mutual consent, make choice of their several quarters wherein to exercise that Function, as well as Saint Peter and Saint Paul by consent went, the one to the Circumcision, the other to the Gentiles. But such apportionments did not intitle them to be properly called Bishops of those places, unless any of them by such agreement did fixedly reside in some City; of which there is not in the History of the Church any clear unquestionable Example. If James the Lord's Brother (who was certainly Bishop of Jerusalem) were not one of the twelve Apostles, as the more general opinion is that he was not; yet did the Churches of succeeding times, for the greater honour of their Sees, and the memory of so great Benefactors, enter in the Head of the Lists or Catalogues of their Bishops the Names of such of the Apostles as had either first planted the Faith, or placed Bishops, or made any long abode and continuance, or ended their daies among them: yet doth not the true Title of being Successors to the Apostles thereby accrue to the Bishops of those places more then to other Bishops, but all Bishops are equally Successors to the Apostles in two other respects; the one, for that they derive their Ordination by a continued Line of Succession from the Apostles; the other, for that they succeed into the same Apostolical power and Function which the Apostles as ordinary Pastors had.

Your motion, to reduce this whole Dispute to Scripture alone, were the more reasonable, if the matter in question were properly a Point of Faith: And yet even in points of Faith (as the Doctrine of the Trinity, the Canon of Scripture, and sundry other) the uniform judgement of the Church hath been ever held of very considerable regard. But being a matter of Fact, as before was said, which the Scriptures do not deliver entirely and perspicu-

perspicuously in any one place together, but obscurely and by parts, so that the understanding thereof dependeth metely upon conjectural Interpretations and uncertain probabilities, nor assure any certain distinguishing Characters whereby to discern what therein is extraordinary, what prudential, and what of necessary and perpetual Obligation, there seemeth to His Majesty to be a necessity of admitting the subsequent Judgement and Practice of the Christian Churches into the Trial.

12. *As to the Three Questions proposed by His Majesty.*
 Reply 19, His Majesty resteth very much unsatisfied, that you have now
 &c. again wholly declined the answering of those three Questions so clearly proposed by Him, which your selves also confess to be of great importance, upon this onely pretence, *That the whole volume of Ecclesiastical Policy is contained in them:* Whereas His Majesty did neither expect nor require from you any large or Polemical Discourse concerning those Questions; but yet did conceive you were (in order to His Satisfaction in your own Undertaking) in some sort obliged to have declared in few words what your Judgement was therein, with the grounds thereof, that so His Majesty might have taken the same into His further Consideration, then which nothing could have more conduced to the informing of His Judgement, and the satisfaction of His Conscience: which His Majestie also further conceives you might have done with the tenth part of that pains you have hitherto bestowed to other purpose, and therein have given full as much satisfaction to His desires as He expected, and in all likelihood better satisfaction to His Judgement then He yet findeth, or can hope to find from you, so long as you hold off from declaring your opinions concerning those Questions. For certainly untill one of these three things can be clearly evidenced unto His Majestie, (*viz.*) Either that there is no certain Form of Church-Government at all prescribed in the Word; or if there be, that the Civil power may change the same as they see cause; or if it be unchangeable, that it was not Episcopal, but some other; His Majestie thinks himself excusable in the judgement of all reasonable men, if He cannot as yet be induced to give His Assent to the utter Abolition of
 that

that Government in the Church which He found here settled to His hands, which hath continued all over the Christian world from the times of the Apostles untill this last Age, and in this Realm ever since the first plantation of Christianity, as well since the Reformation as before, which hath been confirmed by so many Acts of Parliament, approved as consonant to the holy Word of God in the Articles of our Religion, and by all the Ministers of the Church of *England*, as well by their personal Subscriptions as otherwise, so attested and declared, and which Himself in His Judgement and Conscience hath for so many years been, and yet is, perswaded to be at least of Apostolical Institution and Practice. Truly, His Majesty cannot but wonder what should be the reason of your great shiness and unwillingness to discover your minds in a matter of so great and necessary consequence: and for a final conclusion of this whole Dispute (which His Majesty thinketh fit to shut up with this Paper) He must plainly tell you, That your endeavours to have given Him satisfaction in the Questions proposed would have added much, in His opinion, to the reputation of your Ingenuity in the whole undertaking; it being not probable you should work much upon His Judgement, whilst you are fearful to declare your own; nor possible to relieve His Conscience, but by a free discharge of yours.

Nevertheless, His Majesty liketh well of your Prayer in the close of your Paper, and thinketh you should doe very well to joyn therewith your utmost possible endeavours towards the settling of Truth and a happy Peace in this unsettled Church and Kingdom.

F I N I S.

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